

THE
INDIAN CONSTITUTIONAL TANGLE
AND
THE WAY OUT



By

A. SADEQUE, M.A.

Professor of Economics and Politics.

ISLAMIA COLLEGE,
CALCUTTA.

PUBLISHER'S NOTE.

Independence (or self-help) and joint action are the two cardinal principles of the Co-operative Movement of the modern times. So far, co-operative principles have been applied only in the domains of Economics : namely consumption, exchange, distribution and production, and phenomenal results have been obtained in all these branches. Time has come to experiment with these principles in the other fields of human activities. An attempt has been made in this booklet to apply these two principles in a particular aspect of Applied Politics i.e. the present constitutional impasse of India and the result obtained, by which I mean the solution suggested, has been by far the best of all the suggestions ever made to solve the constitutional tangle of India.

Some may think that the book advocates the so-called Pakistan scheme under the garb of scientific discussions. Far from it. The three Indian states suggested herein, are not monoreligious states but composite states of Hindus and Muslims. Though it is not the Pakistan scheme, the latter is included in it. The N. E. and N. W. states of India will be very slightly Muslim majority areas and there will be permissive legislations for an exchange of Hindus and Muslims but the scheme adumbrated in this book is neither aimed at securing Muslim majority states nor is the reconstruction of these states dependent on exchange of Hindus and Muslims.

This thesis concedes to the fullest extent the Congress demand of Indian nationality and national self determination and it points out the clearest way to the British government to jump over the hurdle of Hindu-Muslim quarrel by a tripartite division of India. It explains to the fullest satisfaction, the fundamental unity of the Congress and Muslim League demands on the one hand and British desire to grant Dominion status on the other.

It further advocates a rationalization and democratization of the administrations of the native states. By a system of exchange of princes it shows a way to extricate this task of democratization from the web of Hindu-Muslim quarrel. That Britain is promise-bound to effect this democratization is also not forgotten to be pointed out.

The independence of three Indias, in place of one, is undoubtedly advocated but these three states, together with the other possessions of Britain in the Far East, as well their Allies are to be co-operatively confederated as the nucleus of a Co-operative World State. The problem of defence can thus be solved co-operatively.

The author does not claim all perfection for the scheme but that is his El-dorado. In view of that he requests all to examine the scheme and try to find fault with it. He shall really remain extremely grateful to any one who will be able point out any mistakes regarding facts or arguments in the scheme.

W. ZAMAN
Joint Secretary,
Bengal Co-operative Alliance.

PREFACE : INDIAN FREEDOM MOVEMENT

BY PROFESSOR BENOY SARKAR, M.A., DR. H. C.
VIDYA-VAIBHAVA.

In the present work Professor Abdus Sadeque has approached the constitutional questions of India or the freedom movement of the Indian people in a sportsmanlike manner. His analysis has sought to be objective and the treatment presents facts somewhat different from the conventional. Both the method and the point of view will be appreciated by students of political science as well as by publicists.

The four view-points examined by Sadeque are those of the Indian National Congress, the Muslim League and the Indian Princes in addition to that of the British. But so far as the first three, i. e., the Indian parties to the constitutional game are concerned, it so happens that the author's analysis affects only the fringe. For all practical purposes he has ignored in his picture the ideas and ideals of the farmers, the industrial workers, the illiterates, and the poor and the pariah of all grades and shades. The ideologies of not more than a few of the persons possessing monthly incomes to be counted in substantial figures of four digits have been taken into consideration. The analysis has turned out in consequence to be rather incomplete.

Sadeque's analysis is bold enough to take note of extraordinary geographical re-makings. The transfer of population from one linguistic, cultural and economic zone to another in the interest of religious unity is discussed by him in quite a critical manner from the larger viewpoint of nationalism (pp 30-31). He discusses even the "exchange of princes" (e. g., Hyderabad and Kashmir). Not less mentionable is his Bengali patriotism which can think of constructing a "Greater Bengal" by killing the Assamese language. He recalls in this connection that the Bengali Mussalmans used to fight "against Delhi Emperors not always for the Muslim rulers of Bengal but also on occasions for the Hindu rulers." In his judgment "Bengali Hindus and Muslims constitute one nationality" (pp. 52-53). His fervour for Hindu-Muslim nationality, so far as Bengal is concerned, is powerful enough to inspire him into the suggestion that the non-Bengali Muslims should be treated as aliens until they have been fully Bengalicized "with Bengali as their mother-tongue". Sadeque is thus not to be taken as an exponent of religious determinism in political relations.

Sadeque's presentation leads one to suspect that neither the Indian National Congress nor the Muslim League should appear to be dealing with the realities of the Indian situation. Both are too idealistic in so far as both happen to be supremely indifferent to the fact that India belongs neither to the Hindus nor to the Mussalmans but

to the British people by right of transfer and or conquest from the Indian Nawabs, Peshwas, Maharajas, etc. of the century c 1757-1857. The Bengali poet, Govinda Das of Vikrampur (Dacca) used to sing : *Swadesh swadesh karchhis tora, e desh toder nay* (Fatherland, fatherland you are prattling, boys, but this country is not yours). And he knew what it meant. No challenge has been offered to this *status quo*, this legal and constitutional fact, by anybody in India during the last two or three generations. The right of prescription is in consequence not the least powerful title to the British people's dominance over India's mountains and rivers as well as cattle and human populations. The Indian constitutions or Government of India Acts are, therefore, nothing but "municipal laws" for the British Parliament.

The governance of India is in British law and custom more or less of the same category as the administration of Kent, Lancashire and other British counties. There is only one difference. The British counties are original members of the United Kingdom whereas India is but one of its possessions or zamindaris. In these circumstances to think of a constituent assembly for the Indian people such as may dictate the constitution of an Indian polity is the height of romanticism. The world knows that a constituent assembly comes into being after a successful revolution has been consummated by the people and after the subversion of an old political regime.

The parliamentarians of the United Kingdom, or for that matter, the British ruling and cultured classes, especially in recent years, are too polished, sweet-tongued, decent and diplomatic to think aloud in this manner, not to speak of expressing themselves in the language of brutal truth. They live to the Sanskrit maxim, *ma vruyat satyam apriyam* (Don't tell the truth if it is unpleasant).

But this brutal truth is understood by the remaining, the fourth party in the constitutional game of India. This is the party, if a number of stray individuals or families can be so described, of the Indian Maharajas and Nawabs. These rulers are the last remnants of the medieval Hindu-Muslim princedoms and are perpetually conscious of the reality, which is ignored by the British subjects in India, that their only *ma-bap*, as the only *ma-bap* of everybody in British India, is the British people represented in the British Parliament which normally functions through the British Secretary of State for India and the British Viceroy. These Maharajas and Nawabs are ruling in their territories without any obligations to the men and women inhabiting them and are likely to continue as rulers as long as they enjoy the favours and protection of their fathers and mothers, the British Power.

The princes of India are certainly autocratic ; and the Hindus and Muslims of British India have for some time been in very small proportions used to democratic procedure, or at any rate, to democratic language. But undoubtedly it is the princes who possess the correct understanding of India in world-politics, i. e., the meaning or value of the British army, navy and air-force in international relations. Students of

political science should not fail to give the Devil his due by appreciating the mentality and standpoint of the princes. It is in the perspective of these realities that Sadeque's analysis may be profitably grasped.

The Government of India Act 1935 is one of the most revolutionary constitutional measures ever enacted in the world's political history, especially when one visualizes India's position from Clive to Curzon (1757 to 1905), nay, to Montagu-Chelmsford (1920). The amount of factual or positive freedom conferred on the Indian people by the British Parliament through this conscious and deliberately planned constitutional revolution is extraordinary, although not without limitations. But, as usual in every change-over, transition, reform or revolution, especially in its first stages, the loaves and fishes are being enjoyed by the upper ten thousands.

A statistical inquiry into the incomes of the persons prominent in political agitation, Hindu and Muslim, in the provincial centres, district headquarters and villages as well as in the Councils and Assemblies will convince anybody that moneyed oligarchy commands virtually every rung of Indian leadership. Self-sacrificing men, "gaol-birds", "martyrs of freedom", etc do indeed create the situation and the conjuncture of political forces. But they are invariably exploited as mere tools and ladders by the shrewd men with money, and it is these latter with their relatives, *pctwas* (camp-followers) and time-serving collaborators who enjoy the lion's share in the powers and privileges that may be forthcoming.

The leaders of the major parties are as yet almost impervious to the interests and influences of the teeming millions, the masses. In other words, from the standpoint of factual or positive democracy their ideologies do not differ substantially from those of the princes from whom they seem to ostensibly differ.

It is only since 1920 that the powers and privileges, the loaves and fishes of Indian politics have been broadcast on a somewhat liberal scale. But humanly speaking, none but the handfuls of landed and industrial bourgeoisie, successful and semi-successful barristers and other members of the legal profession could exploit the situation and monopolize the windfalls in their own favour. It is the family interests of these handfuls who pose as leaders in British India that, as a rule, furnish the programmes of so-called parties, Hindu, non-Hindu, Muslim or non-Muslim. They are almost on a par with the dynastic ambitions or interests of the princes in Indian India. The ideology of the professional leaders of British India as that of the Maharajas and Nawabs of Indian India is in the main un-democratic, in spite of certain democratic leavenings in recent years.* As soon as the leaderships in India filter down to the socially and economically lower orders in substantial proportions the question of the Indian constitution or of Indian freedom will take a new turn such as is undreamt of as much by the Indian National Congress as by the Muslim League.

* B. K. Sarkar : "Demo-despotocracy and Freedom," *Calcutta Review* January, 1939.

What is needed in British India at the present juncture is larger doses of democracy such as may enable the masses, the illiterates, the poor and the pariahs of all denominations, scheduled or un-scheduled, to function direct as political agents. Universal suffrage (as well as considerable expansion of Assemblies and Councils) in the first place and universal literacy in the second place should not fail to compel the so-called parties of today to know the limits of their effective leadership or representativeness in the social polity, Hindu or Muslim. *Pari-passu* the intensive development of industries and the promotion of modern agriculture are some of the desiderata in the Indian economy in order to heighten the standard of living of the people. These are likely to help forward the expansion of economic as well as cultural consciousness among the masses and the classes. Under these conditions the establishment of multiple factions, groups or parties among the Muslims no less than among the Hindus bids fair in the near future to be an important consummation in the political field. The freedom movement or constitutional agitation in India cannot therefore long remain obsessed by the slogans which have obtained currency under the regime of the handfuls of landed, industrial and legal oligarchy, or social Brahmanocracy, Hindu and Muslim, during the first two decades of political reform. As in England, France and other countries, in India also the regime of Barristocracy and Rupaiyacracry as the despotocracy of wealth is, at any rate, likely somewhat to retire into the background with the introduction of universal suffrage and socialistic democracy. The rising tide of the poor, the pariah and the illiterate is well calculated to cry halt to the despotocracies of bullion, birth and the metropolitan centres like Calcutta Bombay, Delhi or Madras.

As for the Indian princes they may be left alone by the British Raj for some time yet. The "rationalization" of the British Indian Empire has been advancing pretty steadily during the past on account of industrial, transportation, financial, legal and even political conjunctures, notwithstanding the absence of a constitutional device of federation. This *de facto* federalization may be trusted to operate successfully although no *de jure* basis is established for it. In the meantime the princes also in their turn are likely to be impressed by the impact of *vishwa shakti* (world forces) as to the expediency of democratizing themselves at snail's pace, or, may be, at break-neck speed. The time for a formal amalgamation of the British and the Indian Indias may then be not far-off even without a special propaganda on the side of the British Parliament. That is a "Divine event" towards which Indian political evolution has been slowly but surely moving during the last two generations.

The political theory of the Muslim League appears to be too simplicist in so far as it bases life, history, culture, everything almost exclusively on religion. A philosophy which seeks to establish states on a religious or rather mono-religious basis to the exclusion of other human forces and agencies is as divorced from the economic and social structure of the diverse religions in

Eur-Asia and Eur-America, Eur-Africa and Asi-Africa as the *Herderian* theory of "another language, another state", or "another culture, another state". *Nolife's philosophy can afford to be *advaita* or monistic. The political recipe of exporting crores of Hindu men, women and children from the Muslim majority regions or crores of Mussalmans from the Hindu majority regions in order to implement the theocratic concept of uni-religious statehood should appear to be born in a rather un-human view of human nature. Sadeque is a stern critic of such recipes, although he does not ignore the necessity of exchange of populations under certain conditions. His position is to be appreciated as reasonable.

Man is no doubt a rational animal. But no student of individual, social or political psychology should make too much of human rationality, as theorists like those of the Muslim League seem to do. Unreasonableness, a-logicality or anti-intellectuality is one of the most conspicuous elements in the nature of man. Pre-logical, a-logical, or non-logical is not, as Levy-Bruhl believes, the exclusive feature of *mentalite primitive*. It is a substantial ingredient in the modern, cultivated and even hypersophisticated personality. And this irrationality or unreasonableness is hydra-headed. The a-logicalness or anti-rationality of human character takes thousand and one forms, in myriads of instincts, feelings, emotions, sentiments, and prejudices, conscious, semi-conscious or un-conscious. Religion is but one of these anti-intellectual, a-logical, emotive, irrational or non-reason aspects of the human psyche.

Human beings are neither ultra-rationalistic enough to perpetually guide their entire conduct by the dictates of a single force howsoever powerful it be. Nor are they so monistically a-logical, irrational and emotional as to be determined by religion and religion alone. A religionistic determinism or interpretation of personality and culture, such as is evidently adumbrated by the Muslim League thinkers, is no more acceptable than an economic determinism or a Freudian sexologism of the *advaita* brand. The exponents of uni-religious statehood as the only panacea for interhuman relations, normal or abnormal are, moreover, not likely, to be supported by the march of events once the millions of Hindus and Mussalmans are enabled to function as more or less self-conscious agents. That condition is likely to grow from more to more on account of "acculturation" to universal suffrage, enlarged Assemblies and Councils and social mobility brought on by industrialization, transportation facilities, etc.

Today in 1940 the Mussalmans in the villages of Bengal are not too frequently employing the term Kafer (un-faithful) while describing their Hindu neighbours nor are the rural Hindus calling their Mussalman neighbours Mlechchhas (unclean) in season and out of season. It should indeed be an interesting study in social psychology to investigate statistically into the frequency of these terms or the occasions under which these terms

* S. K. Ghoshal : *Herder's Doctrine of the National Soul* (Calcutta 1939.)

fail or make a worse show in the solution of the same problem. The chances indeed are for relatively greater success. From Sadeque's standpoint, as developed in the present study, it would not be difficult to accept such consummations. Indeed, the swan-song of linguistic or cultural nationalism is being finally sung in the battle-fields of Europe today.

The concept of a territorially united India is a chief plank in the political philosophy of the Indian National Congress. But the unification of India is not a political fact of modern times used, as the international world is, to the dichotomy of British India and the Indian Indias. Nor was it ever realized in substantial proportions in ancient and medieval times. It may pass for a pious wish of the Congress ideologists. But all the same it is hardly consistent with any doctrine of an India emancipated from British military-naval-aerial domination. For, in the first place, the little political unity of India that there is today is entirely a British manufacture. Neither the Bengali will to Indian unity nor the Punjabi will to Indian unity, nor the Maratha will to Indian unity nor the Madras will to Indian unity, supposing that there are these wills, has been responsible for the emergence of Indian unification. It has been brought about exclusively by the force of British arms, British will to power and *Staatsraeson*, and it continues to be maintained and perhaps developed by the same force. In the second place, therefore, as soon as, hypothetically speaking, the ideology of de-Britished India gets realized, the concept of a united India, a pan-Indian statehood automatically vanishes. The absence of a British-Indian army, navy and air-force, backed as they are by the total strength of the British Empire, can but lead to new politico-geographical surgeries on the Indian sub-continent comparable in general features to the Indian *Geopolitik* of the eighteenth century. In that *milieu* one may conceive the appearance of an India freed from British contact. But that will not be tantamount to Indian unity. There are likely to arise many Indias, corresponding to the many Europes of today, as there was a multiplicity of Indias and Europes in all the ages of history. The political theory of the Indian National Congress is then fallacious or incomplete like that of the Muslim League in so far as each fights shy of the fundamental role played by the sword in the making, remaking and unmaking of states, i. e., the delimitation and redistribution of political frontiers, although each is interested in "complete independence". If you want a united India you must have British military-naval-aerial domination or protection. Should you care to do away with this British domination or protection you will have to do without unity. India cannot have both unity and freedom at the same time. It is unthinking romanticism to sentimentalize over conceptions of statehood or nationality unbacked by the sword. *

Sadeque has spoken of "civil wars" in certain eventualities (p. 29). The meaning is not precise. The use of the sword is perhaps implied. The political theory of the Pakistanists does not seem to be yet clear, as noticed above, about the role of the sword in the manufacture of states and the making of maps. This aspect

* B. K. Sarkar : *The Politics of Boundaries* (Calcutta, second edition, 1938.)

of the question deserves to be dealt with at length in every philosophy of Muslim and Hindu or Hind-Muslim Indias such as are called upon to enjoy "complete independence."

The arbitrament of the sword is almost invariably arbitrary. It has never followed any racial (ethnic), colour, caste, linguistic, or religious frontiers. The sword knows only territories, regions or earth's surfaces to destroy, to conquer or to annex. And these territorial or regional areas are not conterminous with religious, linguistic or other areas. In the event of "civil wars", Afghan interventions and de Britished India or Indias materializing, the Muslim men and women of the longed-for Pakistan states have every chance of being redistributed pell-mell among a number of non-Pakistani, non-Muslim, nay, non Indian (perhaps both British and un-British nationalities. Nobody should be naive enough to believe that the fortunes of civil war or international complication would ditto or carry out the pious wishes of a few intellectuals or millionaires philosophizing under the cool shade of Pax-Britannica. The re-construction of states in consonance with the population structure as desired in the interest of mono-religious Pakistani polity is hardly likely to materialize in a condition of civil wars or the like.

The Hindu state with Muslim subjects and the Muslim state with Hindu subjects were and continue to be historic realities in Indian political evolution. The joint Hindu-Muslim polities or hotch-potch territorial nationalities, as Sadeque rightly suggests, will likewise remain, so far as one can see, the normal features of future India.

Situated as the international world is at the present moment, the freedom of Indian Hindus and Muslims can then mean only the development of democratic and socialistic institutions for them and by them within the British Empire. And for the security of this freedom in-democracy or democracy-in freedom substantial power will have to be left with or granted afresh to the British army, navy and air-force. How a constitution built up on this basis is to be named is but a matter of sentiment, legal sense and political camouflage. This is the position of the Indian freedom movement in the *Realpolitik* of to-day, thirty-five years after the glorious Bengali revolution of 1905.

Whatever may be thought of his anti-Pakistani ideology or of his own doctrine of three Indias, Sadeque has understood the *vishwa-shakti* (world-forces) of to-day well enough to be able to advise his countrymen to the effect that the Indian freedom and progress movements must have to be conducted within the bounds of the British Empire. This realism is a mentionable feature of the present analysis.

Sadeque's study, as the work of an intellectual, represents the socio-cultural evolution of India during the last thirty-five years in some of its important phases, Bengali and All-Indian. He has fought shy of propaganda and party spirit. The work is well calculated to inspire further scientific researches and practical suggestions in the field of political anthropology, statistics, geography, psychology, economics and sociology. The author is to be congratulated on his contribution. He has tried to assimilate a vast amount of heterogeneous data and presented his thesis in a lucid and perspicuous manner.

Calcutta, the 11th December, 1940

BENOY SARKAR.

CONTENTS

	PAGE.
Publisher's Note	iii
Preface by Dr. Benoy Sarkar	iv
Chapter I Historical Retrospect	1
„ II Attitude of the Indians towards the Act	6
„ III Great Britain's Standpoint	10
„ IV Congress Standpoint	20
„ V Muslims' Standpoint	27
„ VI Standpoint of the Native States	35
„ VII A Critical Summary	40
„ VIII Pakistan	42
„ XI Hindustan	45
„ X Greater Bengal	47
„ XI Who will organise the Indian Governments	55
„ XII The Present European War and the Indian Constitutional Tangle	57
„ XII A Co-operative World State : the millenium for Humanity	61



The Indian Constitutional Tangle and The Way Out.

CHAPTER I Historical Retrospect.

There is much loose thinking about the real nature of the present constitutional tangle in India. In almost all the present discussions, the problem is viewed from the angle of vision either of the Congress, the Muslim League, the Native States or the British Government and an ordinary man who sometimes wants to understand the problem in its entirety from a non-party angle of vision is hopelessly confused because he finds it extremely difficult to have a perspective of the real facts due to the partial, coloured, magnified or vitiated descriptions of the contributory incidents. In the following lines I have tried to state the problem in its fundamentals from the standpoint of a non party and impartial student of political science and have proposed a solution on the lines suggested by circumstances and logic. Every person has his own likes and dislikes and so have I. But I have most ruthlessly sacrificed my personal inclinations in the search of truth for the sake of truth and my inferences suggested by logic and circumstances, many of which I do not personally like, have been stated in their undiluted and colourless forms.

To understand our present constitutional impasse a historical retrospect is necessary. It will suffice here to begin our narrative from Mont-Ford reforms :

Partly due to the relentless persistence of the two great political organizations of India, the Indian National Congress and the Muslim League, for introducing democratic government of Dominion Status type, and partly as a token of gratitude for India's spontaneous help in men and money in the last Great War and in general consonance with the Queen Victoria's proclamation to associate Indians more and more in the administration of the country, Mr. Montagu, the then Secretary of State for India announced on August 20, 1917, that—

“The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the administration and the gradual development of selfgoverning institutions with a view to the progressive realization of responsible Government in India as an integral part of the British Empire.”

The British Government sent Mr. Montagu to India in the same year and in co-operation with Lord Chelmsford, the then Viceroy, outlined a scheme of Indian constitu-

THE INDIAN CONSTITUTIONAL TANGLE.

tional reform which was published the year after and became known as Mont-Ford report. On the basis of that report Government of India Act 1919 was passed by the British Parliament. The Act did not bring about any fundamental change in the nature of the Central Government. The Central Legislature, though based on popular suffrage and had an elected majority, was nothing but an advisory body. But in the Provincial constitution a fundamental change was brought about. Though some departments were reserved for the control of the Governors, still the departments like education, medical relief, sanitation, local self government, etc., were transferred to the Ministers responsible to the Provincial Legislatures. Some real powers were thus transferred to the popular representatives and the system came to be known as *diarchy*.

This slight transfer of power as regards some unimportant provincial subjects did not please the Indian nationalists. This dissatisfaction took the shape of Non Co-operation Movement in 1921. The educational institutions, the law courts and the legislatures were boycotted by the Congress and the League. An overwhelming majority of the politically conscious section of both the Hindus and the Muslims jumped headlong in the movement and there was a spontaneous and gigantic response from the dumb Indian millions. The Government, of course, succeeded in quelling the movement but it created a hitherto undreamt of national consciousness and it convinced the British politicians that further advances must be effected in the constitutional reforms to satisfy the Indians.

When the Non-Co-operation Movement subsided Messrs. C. R. Das and Motilal Nehru organized the Swaraj Party which adopted the policy of obstruction from within the legislatures. The party paralysed the diarchical administration in several provinces and in 1924, it had a resolution passed in the Central Assembly demanding Dominion Status for India. The passing of the resolution was followed by the appointment of the Muddiman Committee which opined that there were serious defects in the constitution. On this, Lord Birkenhead, the then Secretary of State for India, asked, rather challenged, the Indians to produce an agreed constitution and the Nehru report was the result. It outlined a scheme of constitution based on Dominion Status for India. But immediately after this, a large section of the Moslems, under the leadership of Mr. Jinnah who adumbrated the celebrated fourteen points, opposed it on behalf of the Muslim community. The scheme therefore could not satisfy the condition of Lord Birkenhead and it had to be allowed to die a natural death.

It was stipulated in the Government of India Act 1919 to appoint a Royal Commission after ten years to investigate into the results of reforms and to advise the practicability or otherwise of the next instalment of responsibilities. On the failure of the Indians to produce an agreed scheme and for the universal feeling that some further advances in reforms should be effected as early as possible, the invocation of that stipulation had to be expedited and the Simon Commission was appointed in 1928. As the Commission had no Indian member, it aroused strong opposition and universal condemnation from the Indians. The Congress not only boycotted the Commission but

HISTORICAL RETROSPECT.

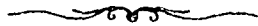
declared that if Government did not agree to grant Dominion Status by the midnight of the 31st. December, 1929, it would resort to a campaign of Civil Disobedience. The Government yielded. On the 31st October '29, Lord Irwin, the then Viceroy, declared by a public announcement that Dominion Status was the goal of India and that after the publication of the Simon Commission Report a Round Table Conference of British and Indian politicians would be convened to devise a scheme of constitution by common agreement to give effect to this aim. But the Congress insisted on the immediate grant of Dominion Status. The acceptance of this demand of the Congress by the Government would have meant, in the absence of an agreement amongst the Congress, the Muslims and the States, the transfer of responsibility of looking after the special interests of the latter two, against their wishes, to the undiluted democratic majority of the Congress. For these reasons, the Viceroy expressed his inability to accept the Congress demand and re-iterated his policy of Round Table Conference and an agreed solution. Congress adopted a policy of opposition. It withdrew from legislatures, Central and Provincial, all its members and resorted to Civil Disobedience movement by breaking the salt laws. But this Civil Disobedience movement of 1930 was by far different from the Non-Co-operation Movement of 1921. The Non-Co-operation Movement was a general upheaval of Hindus and Muslims and the response from the general public was spontaneous and immense. Civil Disobedience movement, on the other hand, was waged by a Congress that alienated the bulk of the Muslims who did not join it in any appreciable number, and adopted an indifferent, rather hostile attitude towards it. Moreover, response from the public also fell far short of that in the Non-Co-operation Movement. In a few months the Government succeeded in suppressing the movement completely.

In June 1930, the Simon Commission Report was published but the Viceroy's declaration already deprived it of all its significance and nobody attached much importance to its recommendations. In November, 1930, the first Round Table Conference was convened by H. M. the King with the British and Indian politicians. But the Congress did not join. It was agreed at the Conference that an All India Federation including British India and Indian States should be established and that responsibility in the Centre as well as in the provinces should be granted with necessary safeguards. The first conference terminated with a general consensus of opinion that it would be much better if Congress could be persuaded to join its second session so as to have an allround agreed solution. After returning from the conference Messrs. Sapru and Jayakar persuaded Mr. Gandhi to meet the Viceroy and discussions between them resulted in the Gandhi-Irwin Pact. The Viceroy conceded that the safe-guards would all be in the interests of Indians and he released the civil disobedience prisoners. Congress, in return, agreed to join the second Round Table Conference and to suspend the Civil Disobedience movement. Mr. Gandhi, as the sole representative of the Congress, joined the second Round Table Conference in August, 1931 and it was expected that he would be able to solve that main obstacle to freedom, i.e. the Communal problem. But the results were quite contrary to expectations. Mr. Gandhi

HISTORICAL RETROSPECT.

administered by the Viceroy and these will be known as reserved subjects. The Viceroy will remain responsible to the British Parliament through the Secretary of State, so far as the administration of these subjects are concerned. He will be assisted by three counsellors in the discharge of his duties. All the other departments of the Central Government are to be administered by ten ministers selected from the majority party in the legislature and responsible to it. The Governor General has been vested with many special powers affecting the responsible ministers as well. Many of these powers are intended to be exercised because the discharge of his responsibilities as regards reserved subjects may require occasionally the invocation of those powers. Hence, unlike the Governors' powers, the Viceroys' special responsibilities are real and substantial.

The defects of the Central Legislature were more pronounced. The Central Administrative System was to be of federal type consisting of the whole of India including the British Indian provinces and the native states. The native states secured 33 per cent and 40% respectively of the seats in the lower and the upper houses of the Central Legislature while their population is only 23% of the total. Moreover, state representatives were to be nominated by the princes and the state subjects were to have no say in the matter. This representation has, therefore, been completely undemocratic. Out of 375 members of the Lower House, princes are to send 125, general public 124, Moslems, other minorities and special interests to send 126. Hence Congress could not have expected to form a majority without combining either with the princes or the Muslims. So was the case with the princes and the Moslems. It was a triangular balance among the Congress, the Moslems and the princes. Moreover, federation was to be inaugurated only when the native princes representing one half of the total population of the states and entitled to half the number of the seats allotted to the princes, agreed to join the federation. Since the requisite number of states have not yet consented to join the federation, the federal clauses of the Government of India Act have remained as dead letters.



“Evolution is the law of nature”

CHAPTER II

Attitude of the Indians towards the Act

(a) **Congress :** Congress has been maintaining an ever stiffening attitude against this scheme of federation. It demands complete responsibility immediately. The structure of an All India Constitution is to be framed by a Constituent Assembly elected by a popular suffrage and this should replace the undemocratic constitution visualised in the Government of India Act 1935. The adjustment of communal and states' issues are to be effected democratically by the constituent assembly after the assumption of independence. If Britain is to grant responsibility to India, they are to grant it to the Indians as a whole, and not to the Hindus, the Moslems or the princes. What will be the form of the constitution is an exclusive affair of the Indians themselves. Britons are pledged to develop responsible systems of Government in India. Responsible system means democratic, representative and in effect, majority system of rule. In no country has it ever been possible for the entire population to hold identical views on any point. Issues are to be necessarily disposed of by majority decisions. So will be the case in India. The stipulation of the conditions of previous agreement of the Congress with the Moslems and the princes, is nothing but an indication of bad faith on the part of the British Government who, in spite of their repeated declarations, are unwilling to grant the substance of freedom to the Indians. The leftists have, therefore, been systematically urging the Congress to resort to direct action against the Government. The declaration of the present war, gave the Congress a golden opportunity which it could ill-afford to lose. By refusing co-operation with the British Government and even by resorting to a civil disobedience campaign, the Congress decided to add further difficulties to the grave situation caused by the war and thereby co-erce the Government to accede to the granting of independence. Congress members resigned from the Provincial Governments and made provincial responsibility inoperative in the six provinces where they constituted majorities and are threatening to resort to civil disobedience campaign any moment.

(b) **Native States :** In the first Round Table Conference the princes showed a great enthusiasm to join the federation but since then their enthusiasm has been steadily declining and now it has reached nearly to the vanishing point. At first they seem to have been under the impression that once they joined the federation they would be freed from the vexatious control of the political agents and the Home Department of the India Government and enjoy a much greater degree of freedom and despotism. But by the behaviour of Congressmen and the nature of the political campaigning of the Congress in British India and from the bitter experience of popular political agitations in some of their own states, it was not long for them to realize that once they left their secure anchor of limited freedom under British protection, they would be subjected to unlimited and ruthless popular campaigns waged by the Congress and before long would be shorn of all their powers and reduced to titular figureheads. It would be a change from the frying pan to

THE INDIAN CONSTITUTIONAL TANGLE.

Problem Stated : To sum up the position of the different parties we find that the Congress is demanding the right of self-determination from the British Government on democratic lines. The structure of the All India federal administration will be determined by a Constituent Assembly elected by universal suffrage and this very Assembly will adjust the communal and states' issues by the exercise of their free judgement. The stipulation of the British Government that identity of opinions among the Congress, the Muslims and the States should be attained before responsibility can be granted at the Centre is interpreted as a pretext for not relinquishing their authority. They will transfer their power, the Congress argues, only when co-erced. Just after the declaration of the present war, the Congress has not only adopted a policy of Non-co-operation but also has held out a threat of direct action or civil disobedience. By thus exploiting the war situation to its fullest advantage the Congress is trying to force the British Government to grant the Indians their right of self-determination. Muslims, on the other hand, have been very much frightened by the anti-Moslem nature of working of the Congress Cabinets in the Congress provinces during the last three years and have been offering an ever-increasing resistance to the introduction of responsibility at the Centre and demanding the provisions of safeguarding Moslem interests before the granting of responsibility. They, in an ever increasing number are veering round the Muslim League as their mouthpiece and spokesman and at the present moment it seems that the League represents an overwhelming majority of them. The earlier demands of the Muslim League related to only separate communal representation, weightage in legislatures, ratios in services etc., and these are known as Mr. Jinnah's fourteen points. With the ever-stiffening attitude of the Muslims, these fourteen points were next inflated to twenty one and in the last session of the All-India Muslim League at Lahore they have come forward with a proposal of tripartite division of India into three autonomous states, the N. W. and N. E. divisions being Muslim majority areas. Their purpose is to extricate the Muslim majority areas from the Hindu majority influence of an All-India Federation and to safeguard the minority interests in the rest of India not only by the provisions of communal representation, weightage etc., but also by the military influence of the two Muslim majority states. The Muslims are one with the Congress in demanding responsibility but are simply against the idea of one All-India Federation. Princes also have begun opposing federation and want to maintain their individual treaty relations with the British Government because they fear that once they give up the treaty rights, ruthless political agitations will deprive them of all the privileges conferred by federation and will reduce them to ineffective figureheads. The federal clauses of the Government of India Act 1935, have therefore been opposed by all the three political sections of India and in consequence the British Government, through the Viceroy, have announced their decision not to introduce the type of federation envisaged in the Act. On the other hand, they have declared their willingness to accept any scheme brought about by the common agreement of these political sections.

ATTITUDE OF THE INDIANS TOWARDS THE ACT

The British Government, maintaining all along, their faith in one All-India Federation, insists on unity amongst the Indians and maintains that without this unity, federation will generate bitterness and even civil war. We, thus find that the British Government is willing to concede to the demands of the Congress and the Muslim League for independence but they differ in their methods of approach to the problem. The opposition of the princes to the idea of federation seems to be on a fundamentally different plane. This is the Indian constitutional impasse which has puzzled the statesmen of England and India, and many of whom have begun to regard it as a puzzle that admits of no solution.



"The adjustment of an issue is attained when the relevant contending forces are brought into equilibrium"

CHAPTER III

Great Britain's Standpoint Examined.

Britain has adopted a policy of "gradual development of self-governing institutions" culminating in fully responsible form of government in India with the English Crown as the titular sovereign. In other words, India will have the status of the other self-governing Dominions of the British Empire. The Dominions are, to all intents and purposes, independent states and consequently the demands of the Congress and the League for independence and the aim of the British Government, though different in language, are substantially the same. In the provincial affairs, responsibility has been granted nearly to the fullest extent and in the federal affairs also, the government is willing to grant responsibility if the Indians, particularly the Hindus, the Muslims and the princes can devise an agreed scheme to give effect to the responsibility of the Indians in their own governance. Unity amongst Indians has been stipulated as the condition precedent to the grant of responsibility. In this stipulation, the Congress tries to attribute bad faith to Britain and charges her with the desire of not granting independence. Here, we shall examine most impartially to what extent this stipulation of unity amongst Indians as the condition precedent to Indian independence is in conformity with or contradictory to the recognized doctrines of political science.

The democratic or representative form of Government that Britain wants to introduce in India is, the government of the people, by the people and for the people. Government by all the people is possible only if the country be extremely small as in the early Greek states. In big and populous countries of the modern days democracy is conceivable only in representative form. The people of the country elect a number of their representatives to govern the country and the number of such representatives is made sufficiently big to have all shades of opinions represented in proportion to their adherents in the population as far as possible. The representative body is, therefore, nothing but the crowd of the country in miniature and handy form and every individual in that representative body may hold a particular view on the current political issues of the country because it is quite natural that opinions should differ. Governmental works can be done only according to one particular opinion at a particular moment. Hence one of the opinions must be singled out as the guiding principle and this is effected by organizing political parties. A political party is an organized group of citizens holding similar views on the leading political questions of the day. The views held by a party are probably compromised views agreed upon by mutual give and take but the members of the party stand by those opinions and jointly try to have the governmental works carried out according to those views. The party that can gather majority of the representatives as its adherents, makes its views prevail, captures the governmental machinery and rules the country according to their liking. The minority party or parties holding different views on the current political issues cannot have their views prevail. But they always try to find out the defects of the views of the

GREAT BRITAIN'S STAND POINT EXAMINED.

majority and point out the superiority of their own views. If by so doing, they can make some adherents of the majority party to join the minority so much so that the minority is converted into majority, it will capture the governmental machinery and rule the country according to their views. Representative government, therefore, amounts to government by the majority party. Whether they like it or not, minority party must abide by the decision of the majority. In all the democratic countries, the minority parties have an important function to perform. They ceaselessly criticise the policy of the majority party in power on the current political issues, and point out their weak points and mischiefs that might follow. Moreover, they formulate an alternative policy on the current political issues and strive to make people believe that immense good would follow if that alternative was adopted. By such ceaseless criticism and propaganda, they may succeed in convincing an ever-increasing number of the adherents of the majority party to come over to their point of view and in the next election there may be more representatives of the opposition than those of the party in power. In that case, the minority will be converted into majority and the government of the country will be carried on in accordance with their desire, while the other party will take up the role of criticism. Governmental powers will thus alternate between the two parties and this alternation of power will be regulated by the strength of the arguments of the two parties and the results obtained from the alternative policies as judged by the people. Where the opposition of the minority party at any moment does not go beyond such constructive criticism and attempts, by persuasive arguments, to secure seceders from the majority party to join theirs, in that place only representative government is possible. But representative government cannot function in a country where the minority wants to take to arms and break into revolution rather than submit to the rule of the majority.

With such a minority, submission to the majority rule means a greater disaster than even revolution and anarchy in the country. In this case, minority is or may be said to be of different nationality from the nationality of the majority. In the former case, minority, being content with opposing by constitutional methods only, consider the peaceful government of the country to be more important than government according to their own liking. Submission to the majority rule is less disastrous to them than revolution and anarchy in the country. In other words, the attitude of the minority towards the majority, is that of a brother to a brother who may at times be at loggerheads but still do not like to break away permanently. When the affection of the minority towards the majority and their desire to live with them under one political organization are much stronger than their desire to have their own views prevail in the governance of the country, the minority is said to belong to the same nationality as the majority. Representative system of government can function only when all the people of the government belong to the same nationality. Mill says : "Free institution" by which is meant representative government of responsible type, "are next to impossible in a country made up of different nationalities". Revolution will break out on the appearance of any serious difference of opinion between the nationalities and this

THE INDIAN CONSTITUTIONAL TANGLE.

will lead to a disruption of the state. Boundaries of a representative government should, therefore, coincide with the boundaries of a nationality.

The maxim of mono-national states is known as the principle of nationality or the doctrine of self-realization. If the right of a people to have democratic government or self-government is recognised their right to determine with which of the various collective bodies of human beings they choose to associate themselves, is also necessarily recognised. Wherever any serious deviations from the principle of nationality took place in the organisation of any state, wars, sufferings for humanity, economic disasters and disruption of the state were the natural sequale. "It is one of the characteristic features of modern nationalism that most peoples who constitute a nationality aspire either to be independent and to live under a state organisation of their own choice and creation, or at least to be accorded a large political autonomy, where they are united with another nationality or nationalities in the same state. Towards the middle of the nineteenth century the principle came to be asserted that every such people have a sort of natural right to determine their own political destiny. States composed of different nationalities came to be regarded as unnatural unions, and people who are unwilling partners in such unions had therefore a right to dissolve the partnership by withdrawal and to establish new states on natural foundations". (Garner) This actually happened in Europe in many cases. In 1827, the Greeks revolted against the Turks and became independent. In 1831, the Belgians broke up their unnatural union with the Dutch, enforced on them by the Vienna Congress. The nationalistic movements led up to the unification of Italy and Germany during the third quarter of the nineteenth century. Rumania, Serbia and Montenegro rose against their Turkish rulers and became independent in 1878 and afterwards Bulgaria also became free. Since 1878, the movement for independence has spread among the other unemancipated nationalities all over the world such as the Irish, Czechs, Poles, Egyptians, Slovaks, Croats, Litts, Latts, Ruthenians, Albanians, Arabs, Indians and others.

In the opinion of Woodrow Wilson, the main purpose of the last Great War was to emancipate these nationalities and to allow to have them their self-government. The Great War fulfilled this expectation to some extent but created many nationalistic complications by departures from the principle of nationality in some cases. The French nationals of Alsace and Lorraine were transferred to France. The Czechs and Slovaks freed themselves from the Austrian yoke and formed separate states of their own. The southern Slavs similarly formed the Yugo-Slav state. Poland, Finland, Hungary, Latvia, Lithuania, Esthonia and Albania became independent states. Since the war, Ireland, Egypt, Hedjaj, Mesopotamia and Syria have been virtually emancipated but the nationalistic uprisings in Morocco were ruthlessly crushed.

The Treaty of Versailles, on the other hand, was guilty of many offences of omission and comission so far as the application of the principle of nationality was concerned. The Germans of Austria and Germany, were not allowed to effect the anschluss though they

GREAT BRITAIN'S STANDPOINT EXAMINED.

be onged to the same nationality. Sudetenland and South Tyrol, definitely German areas, were made parts of Czecho-Slovakia and Italy respectively. Similarly, Eupen and Melmedy became Belgian and to give an access to the sea to Poland a Polish corridor was carved out by cutting Germany into two isolated areas. Definitely Magyar areas were transferred to Rumania, Czechoslovakia and Jugoslavia. Some Bulgar districts were given over to Rumania, Jugoslavia and Greece. Germany, Hungary and Bulgaria have been the three revisionist powers of post-war Europe. The present war in Europe has originated from German irredentism and nationalism trying to unify all the Germans under one banner. The Germans of Czecho-Slovakia have been redeemed but Germany has overdone its work by subjugating the Czechs. Similarly, Germany has not only redeemed its nationals from Poland but also has crushed the Polish state. If the principle of nationality was strictly followed in these cases, in the Treaty of Versailles, probably the present war and the retaliatory offences would not occur. It would have been immensely better for the Balkan states, as well as for the rest of the world, if the nationalistic claims of Hungary and Bulgaria, on their neighbours, were met halfway, by amicable settlement, and these potential problems were liquidated away and the expansion of the war to the Balkan areas, was made impossible. Europe and the world have not yet paid the full price of infringing the rule of allowing well-demarcated national areas to have their own self-government. The war that is going on now in the name of the rectification of the past wrongs, is creating many more infringements in its pernicious course. This will probably end in the complete destruction of the modern civilization.

The sentiment of nationality originates in various causes. "Sometimes" says Mill "it is the effect of identity of race and descent. Community of language and community of religion, greatly contribute to it. Geographical limits are one of its causes. But the strongest of all is identity of political antecedents; the possession of a national history, and the consequent community of recollections—collective pride and humiliation, pleasure and regret, connected with the same incidents in the past. None of these circumstances, however, are either indispensable or necessarily sufficient by themselves. Switzerland has a strong sentiment of nationality though the Swiss are of different races, different languages and different religions. The Flemish and Walloon provinces of Belgium, notwithstanding diversity of race and language, have a much greater feeling of common nationality than the former have with Holland or the latter with France". Though none of the causes mentioned above may be said to be essential, it has got to be admitted that by some kind of permutation and combination of those factors, a portion of mankind is so united by common sympathies which do not exist between this group and the rest of the humanity and which impel the members of this group to co-operate with themselves more willingly than with others that it nurtures in them a desire to live under the same government and a government by themselves. If any of the factors that contribute towards the formation of nationality be absent in a section of mankind, the bond of nationality is probably weakened thereby in proportion.

THE INDIAN CONSTITUTIONAL TANGLE.

If there are differences of languages, religions, local customs and traditions in the different localities with definite boundaries in a country and at the same time there is a common bond of sympathy among these groups of men who want to live as one common political unit, the situation is met by organising a federal type of government. Provincial or local governments are organised to deal with local affairs autonomously and one central government over all the units exercise power over the common affairs of the whole country. Due to this bifurcation of state activities, federal governments become necessarily weaker than it could have otherwise been under a unitary form of government but it becomes undoubtedly stronger than what it would have been if divided into many independent states according to local peculiarities. But when local peculiarities are so great as to cover all the activities of the state, there remains no other alternative than to divide them into separate independent states if representative government is to succeed.

The nationalistic movement in India has lately become very intense and vocal. The British Government has also recognised the Indian demand for national freedom and declared its willingness to introduce and give effect to any form of self-governing constitution agreed upon by the Indians themselves. Political India consists of the Congress, the Muslim League and the princes and the British Government has stipulated an agreement among them as a condition precedent to the introduction of responsible government. India is a vast country with diverse languages, religions, castes, races and antecedents. To meet the local peculiarities, provincial governments had to be created from the early times of the British rule and since 1937 complete responsibility has been granted to the provincial legislatures so far as local affairs are concerned. As regards the general affairs of government concerning all the provinces and the native states, such as defence, tariff, communications etc an All India Federal Government is to be organised provided there is a satisfactory indication of unity among the three political parties of India, in other words, provided Indians have developed a sentiment of one nationality inspite of their diverse languages, religions, races etc, to provide the basis of an All India Government.

The Congress is a democratic organisation and anyone paying an annual subscription of four annas is a member of it. There is no bar to membership on the ground of religion, caste, language or anything of the type. The subscription rate also is sufficiently low to enable even the poorest Indian to enlist himself as a congressman. There is sufficient indication that a large majority of the politically minded population of India are congress-minded. The manner in which the Congress sweeps elections, makes and unmakes provincial and local governments that depend on popular support, prove conclusively that the Congress demand is a majority, popular and national demand. At the time of the Non-Co-operation movement a large number of Moslems enlisted themselves as congressmen, and the Muslim League, their sectional organisation, appeared to be a mere camp-follower. But thereafter the Moslems have been

GREAT BRITAIN'S STANDPOINT EXAMINED

dissociating themselves from the Congress at an ever-increasing rate and veering round the Muslim League. At present it seems that the League has got a commanding hold on an overwhelming majority of the Indian Muslims and the Congress has retained the hold on an unimportant and diminishing minority of the Muslims. The Muslim League also is a democratic organisation so far as the Muslim community is concerned and as such it seems that it deserves to be called the spokesman of the community. At the last Lahore session of the All India Muslim League it has declared that the Muslims of India constitute a separate nationality and has demanded to be treated as such. Assuming the League opinion to be the real opinion of the Indian Muslims, it would not have seriously vitiated the demand of the Congress for freedom, even without Hindu Muslim unity, if the Muslims were distributed all over India in such a manner that they were a minority not only in India as a whole but a minority in every local area also. In that case they could be treated as aliens, just as many European states are treating their minority nationals. But in the N. W. and N. E. corners of India the Muslims are in a dominating majority and these areas are big and resourceful enough to form separate independent states. Herein lies the crux of the problem. On the assumption of the Muslim nationality theory, the Muslims cannot be treated as an ineffective minority. The Muslim majority corners will try to dissociate themselves from India and form separate states as demanded by the League. Unless the Hindus and Muslims constitute one nationality, they cannot be put under one government. Hence the stipulation of the British Government to have an All India Federal constitution on the agreement of the Congress and the Muslim League, the agreement that will be possible only if they have formed one nationality, is fully justified.

It was pointed out by a British statesman the other day that in Europe, the French are in a minority in comparison with the Germans but they should not be combined together in a democratic state to be ruled by the German majority. The adoption of such a course will lead to war and bloodshed. If the French were so distributed as to be in minority in every locality of the Franco-German area, the Frenchmen could be kept in control and treated as an ineffective minority. But as they are concentrated in a definite geographical area, their inherent tendency to self-determination will inevitably take a violent form in an effective manner. Similarly in India, the Muslim majority area in the N. E. and N. W. will be able to resort to violence in an effective manner to separate themselves from the rest of India. It may be possible for the vast majority of the Hindustan part of India to keep those two Muslim majority areas under military control and domination but this can be done only by following an autocratic method and not by the democratic principle. It is only by the exigencies of British connection that Beluchistan and N. W. F. Province are parts of India and if these can be considered as India, why Persia and Afganistan should not be considered as such? In such circumstances also, the present Congress majority will remain in majority. Obviously the suggestion is silly. The incorporation of these areas will lead to unnecessary wars and

THE INDIAN CONSTITUTIONAL TANGLE

bloodshed because they will not agree to sacrifice their individuality and independence at the dictation of the Hindustan majority. If a government is to be organised on democratic principles the boundary of the state should coincide with the boundary of one nationality or at least the boundary of a nationality which is in majority in every locality. Only in these circumstances can democracy function without any fear of internal revolution. It is a thoroughly undemocratic principle to include in a democratic country, areas with an unwilling majority of a different nationality. If the Muslims of India do not agree to form an All-India Government with the rest of the Indians because they believe that they constitute a nationality of their own it will be impossible to form, on democratic lines, an All-India Federal Government that includes the Muslim majority areas of the N. E. and the N. W. This will amount to an invitation to disastrous civil wars. At present the solidarity of the All-India Government depends on the solidarity of the British Government which is based on British nationality. With the grant of responsibility to India this element of present unity will disappear and the India Government has to be based on Indian nationality. But if one Indian nationality does not exist i. e. if the Muslims form a separate nationality, an All-India democracy is out of the question. An All-India democracy and peace in the country can be maintained only by prolonging indefinitely British military control. If, on the other hand, the Muslims with the rest of the Indians form one nationality, there may not be any objection to an All-India Federation which will have a firm basis to stand upon. Hence the stipulation of the British Government for League-Congress unity, as a condition precedent to an All India democracy, has been perfectly justified.

Some congressmen suggest that in the past decades the Hindus and the Muslims have been conducting a nationalistic movement for freedom side by side and it is rather odd to think that when they are about to get the cherished freedom they should be divided against themselves. This line of argument is not at all logical. The British and the French were fighting jointly against Germany and this fact only was not a sufficient justification for forming one joint government of these two nations. The European provinces of the former Turkish Empire wrangled out their freedom by jointly fighting against their overlord, but when freed, they established separate nationalist states. India is going to be granted freedom and from this it does not necessarily follow that there should be only one government for the whole of India. This argument, therefore, does not weaken the logic of the British standpoint. Some Congressmen again suggest that Britain does not want to grant responsibility to the Indians and that is why they have stipulated for Hindu-Muslim unity as a condition precedent to responsibility. This Congress arrow also hits quite wide of the mark. We have already seen that according to the rigid principles of political science it is not wise and safe to introduce one democratic government to India as a whole without Hindu-Muslim unity. Assuming the best of motives, the inference cannot be otherwise. As the onus of proof lies with the accuser and in view of the axiomatic principles that can be cited in support of the British standpoint, the Congress

GREAT BRITAIN'S STANDPOINT EXAMINED.

accusation remains unproved and irrelevant. No sane man will ever suggest that there can be one democratic government for the whole of India and peace in the country simultaneously, without the Hindu-Muslim unity.

The British government wants, in addition to an agreement between the Hindus and Muslims, an agreement between the Congress and the League on the one hand and the princes on the other. The Federal government envisaged in the Government of India Act of 1935, gave an undue weightage to the representation of the native states. We have already seen that though the population of the native states is not even one-fifth of the total population of India their representation to the Lower House was to be one-third of the total, and more than one-third to the Upper House. More objectionable was the method of representation of the native states. The representatives to both the houses were to be nominated by the princes and the state-subjects were summarily neglected. It was a thoroughly undemocratic and retrograde system. The price that was to be paid for the states' joining the federation was extremely heavy. In the All-India Government, the states obtained a virtually decisive voice which was to give the government a definitely autocratic tinge. So far as their internal affairs were concerned the princes were left as autocratic as ever. But this assurance of the maintenance of their power in internal affairs and a decisive say in the Federal Government also, did not satisfy the princes. They feared that once they gave up their connection with the British sovereign and joined the federation, they might be subjected to ruthless political agitation and be shorn of all their real powers. Their enthusiasm to join the federation has been declining towards a vanishing point. They want to maintain their treaty rights and British connection intact and within the limits set by the British paramountcy, they desire to remain the unchanging despots for an indefinite period of time. The British Government has stipulated that without an agreement with the princes, federation can not be introduced in India and necessarily there has developed a deadlock in the constitutional evolution in this country due to the stubbornness of the Indian princes.

The Englishmen took the reigns of the Government of the country from the Indian princes in the second half of the eighteenth century. In the bulk of India, the princes were defeated and dethroned and the English established a system of direct rule. These directly ruled areas are known as British India. The rest of the princes were brought under control by a peaceful method of subsidiary alliance. Paramountcy was assumed by the Governor-General or Governor in the name of the British King and this meant that in all important matters the princes began to be controlled by the Home Department of the Viceroy or by the Governors. By constructing gradually this double system of rule, an all powerful All-India Government was brought into existence and this government has been ruling the country ever since. The sovereignty of the British Parliament over the native states is unquestioned. Neither in legal nor in political or military sense of the term, can any native state even dream of opposing any measures, relating to those states, adopted by the British Government. Since the last Great War, the

THE INDIAN CONSTITUTIONAL TANGLE

British Government has adopted a policy of gradual introduction of responsibility with a view to ultimately bring India to the status of the other self-governing Dominions. Since 1937, the British Indian provinces have been made virtually self-governing and autonomous in the local affairs. The transfer of power by the British Government has not been to the descendants of the princes from whom they took the reins of government of those provinces but to the people at large. The British Government are pledge-bound to develop democratic system of government in India. That is the essence of the declaration of Mr. Montagu in 1917 as well as of the repeated assertions of Lord Zetland in the House of Lords. In conformity with the letter and spirit of those assertions it was not at all unnatural to expect that the British Government would bring into existence popular legislatures in the native states and allow the state subjects to enjoy the same amount of responsibility as granted to the people of the British Indian provinces. Britain, however, has not seen its way to bring about this happy consummation. This, any way can be expalined away by saying that the princes are, after all, Indians and the British Government should not be hasty in bringing about the transfer of power from their hands to the people. This should be brought about by a slow and imperceptible process of persuasion. The transfer of power in the internal administration of the states will involve the depriving of the princes of the powers now enjoyed by them but so far as the transfer of those powers now exercised on them by the paramount power is concerned the situation is fundamentally different. In the Central Governmental affairs, control over the states is exercised by the Home Department of the Viceroy. If this control of the Viceroy is to be relaxed and power is to be handed over to the Indians, the states' subjects are to be the recipients of those powers. This transfer of powers from the British Indian Government to the States' subjects will not affect the position of the princes in the least if the transference is restricted to only those powers which are now exercised by the Viceroy over the states. The British Government are pledge-bound to effect this transfer. That is the essence of Mr. Montagu's declaration of 1917 as well as of the preamble of the Government of India Acts of 1919 and 1935.

But in the constitution envisaged in the Government of India Act of 1935, the princes only are to be represented in the Central Government and they have secured such a great weightage that they are bound to have a decisive say in all Central Governmental affairs. The princes, therefore, are to get back not only the powers they surrendered to the Viceroy but also a say in the Government of the rest of India which they never possessed before. Even these great concessions have not sufficed to please them. They want a still greater voice in the government of the country. The British Government, with deference to their opinions, have stipulated the consent of the princes as a condition precedent to the transfer of responsibility and the states' subjects have been forgotten altogether. This stipulation has been clearly anti-democratic and runs contrary to the letter and spirit of the British Government's declaration and preamble of the Government of India Act which want to rear up democratic and responsible institutions in India. The Congress

GREAT BRITAIN'S STANDPOINT EXAMINED.

is justified in condemning this stipulation as retrogressive and reactionary. To keep true to the democratic principles it is to be seen whether there is a fundamental and basic unity between the states' subjects and the people of the rest of India to provide the basis of an All-India democratic federation. The nature of the people in the states are not appreciably different from the people of their surrounding British Indian provinces and they are the same Hindus and Moslems that live in the provinces. We have already seen that so far as the British Indian provinces are concerned, unity between the Hindus and the Muslims is essentially necessary to provide the basis of an All-India federation and for an All-India Federation including the native states as well, unity between the Hindus and Moslems, not only of British India but also of the native states, is essentially necessary.

To sum up the examination of the standpoint of the British Government, we find that the stipulation by the British Government of the Hindu-Moslem unity as a condition precedent to the formation of an All-India Federation is eminently justified but the Hindus and Moslems of the native states also should be included in that unity and must not be neglected as in the Government of India Act of 1935. This unity is essential to maintain the integrity of the state and this unity will be forthcoming between them only if they have developed the sentiment of one nationality. But the second stipulation of the British Government that the Hindus and the Moslems of the provinces must come to terms with the princes to have federation, is hopelessly irrelevant. Nationality is not the monopoly of the princes and in organising a democratic constitution, nationality of the people at large is the all-important necessity. Hence by stipulating the agreement with the princes as a condition precedent to the transfer of responsibility, Britain has overshot the mark. This part of the stipulation has been undemocratic and diametrically opposed to the declaration of the British Government though the requisition for the Hindu-Moslem unity which is nothing but the requisition for the existence of a sentiment of an All-India nationality to provide the basis of an All-India Government, is fully justified.

“Recognition of equality is the worship of God”.

CHAPTER IV

Congress Standpoint Examined.

The All-India Congress maintains that there exists a strong sentiment of an All-India nationality amongst the Indian masses, constituting a fundamental unity among them and providing the basis of an All-India constitution. It wants a Constituent Assembly, truly representative of the Indian masses, to frame the Indian Constitution to be introduced in India. The Indians should be necessarily satisfied with the constitution so framed because it will be their own making. The British Government, being pledge-bound to grant Dominion Status on democratic lines to India, should consider such an axiomatic proposal acceptable to them. Their unwillingness to concede to this point, the Congress thinks, proves their disinclination to grant responsibility to the Indians.

On the assumption of the existence of one All-India nationality, the Congress argument seems to be incontrovertible. Their opponents, however, point out that the very assumption of the existence of an All-India nationality is wrong. Four hundred millions of Indians do not constitute one nation but many nations. The so-called provinces of India are not provinces but big and populous countries. The Bengalees living in Bengal and Assam, and counting sixty million heads, constitute one distinct nationality. The Beharees, Hindustanis, Panjabis, Gujratis, Rajputs, Mahrattas, Telegus, Kanarese, Tamilians, Malayalese etc are also the other distinct and populous nationalities of this Indian continent. Cutting across these geographically national boundaries, live the Hindus and the Moslems intermixed in different proportions in the different parts of the country. The Moslems, rather a majority of them, are asserting that they constitute a nationality, different from the rest of the Indians? These provincial and cultural differences, they think, have not allowed the sentiment of an All-India nationality to strike its root deep enough to provide the stable basis of an All-India Federation. The argument of the opponents of the Congress also are not very convincing. It is a maxim of political science that one nation should have one governmental organisation and democratic form of government is not possible unless it is based on one nationality. But this maxim admits of two universally recognised exceptions. The first exception relates to the case when two or more nationalities live intermixed over the same area and cannot be geographically separated. Human ingenuity has not as yet succeeded in devising separate governments for organically intermixed nationalities. Such people have to be ruled by one and the same governmental organisation. In a democratic form of government, under such circumstances, the machinery of government is necessarily controlled by the dominant nationality and the minority nationalities have to submit themselves to the wishes of the majority or dominant nationality.

CONGRESS STANDPOINT EXAMINED.

The minority nationalities are sources of great weakness to their states. In any national struggle these minorities need be kept under military control. The minority nationalities have caused in the past many wars. Some of the Balkan wars were caused by this problem. Some of the causes of the last Great War as well of this can be traced to the minority problems of the different European countries. The most radical solution of this minority problem was applied by Kemal's Turkey in the form of a large scale exchange of Greek population of Turkey with the Turkish population of Greece. Hitler's Germany has applied this method more systematically and on a much larger scale. The German nationals of the Eastern Baltic States and Italy are being brought back to Germany. Jews are being turned out of Germany and the Polish people are being herded together in the eastern parts of German occupied Poland. This is the only possible solution of this problem which is radical and satisfactory though it may cause some suffering to the peoples exchanged.

In the case of India, even if we assume that the Muslims constitute a separate and distinct nationality from rest of the Indians, they are so organically intermixed with the rest, all over India, that it is not possible for them to have a separate government. This will be possible only if they can be herded together in some corners of India by mass migration and interchange of population. As the things now stand they must live under the same government with the Hindus. It has been decided to introduce democratic form of government in India. If only the Hindus of India do possess the sentiment of one nationality, a stable Indian federal government on democratic lines can be brought into existence. The machinery of the Federal Government will be necessarily controlled by the dominant nationality *i. e.* the Hindus. The Muslims being in minority by a wide margin have got to submit to the wishes of the majority. The existence of a separate Muslim nationality does not annihilate though it vitiates to some extent the sentiment of one Indian nationality. If the Hindus and other non-Moslems who constitute the bulk of Indian population, have developed a sentiment of one nationality in them, that nationality has got to be considered as the Indian nationality and the question of the Moslem minority should be considered as a domestic problem. The plea of Moslem minority, therefore, cannot be logically used for non-introduction of popular federal government in India.

The provincial nationalities like the Bengalees, Oriyas, Hindustanees, Rajputs, Punjabis, Sindhis, Gujratis, Mahratese, Telegus, Tamilians, Kanarese, Malayalese etc stand on a fundamentally different footing from that of the Moslem nationality. They live in distinct geographical areas of their own. If they have got their separate sentiments of nationalities and if democratic principles are to be observed, these nationalities should have separate governments of their own. All the nationalities of India, however, are not equally populous. Some have got but few lacs. Assamese for example, are just over two millions. If the principle of mono-national states be adopted, some of the states will be too small to be wealthy or strong. This brings us to the second limitation to the doctrine of self-realisation or the principle of nationality. It is an exception to the principle of nationality universally recognised amongst the writers of political science that when a nationality is too

THE INDIAN CONSTITUTIONAL TANGLE

small to maintain even a moderately strong existence it should be combined with a big neighbouring nationality to form one state. If that be not done they remain as a standing invitation to the neighbouring states to attack them and satisfy their desire for acquisition. This may lead and in the past has led their neighbouring states to be involved in wars causing injuries to all concerned. If peace in the world be a desirable object for the statesmen to attain, they should persuade very small states to merge with their big neighbours. The doctrine of nationality, is applicable only in case of fairly big and populous nations. There are some big nationalities in India that can maintain a strong and prosperous existence if they really desire to have their separate entity. With them their very small neighbours may be combined and India split up into as many autonomous states as there are these populous nationalities. But the sentiment of nationality of these populous and big nations of India may be of a peculiar type. They may desire union without unity. They may be extremely desirous of maintaining their local and national peculiarities but at the same time may want to be combined as regards certain general affairs. This divided and peculiar attitude of the members of different nationalities is known as Federal sentiment. The various nationalities of India may with advantage be combined in a federal government as regards certain general affairs like defence, communication, tariff etc while retaining substantial autonomy in their local and peculiar affairs. Differences of race, language, religion etc cannot necessarily stand on the way of such a federal scheme. Switzerland is a federation of three races speaking three languages. The Canadian Englishmen and Frenchmen have formed a federation. If a sentiment of federal nationality exists amongst the various Indian nationalities, one All India Government on democratic lines will be a practical proposition. The assumption of the All India Congress is that such a sentiment does exist in India. The opponents of the Congress, simply by pointing out the innumerable differences amongst the Indians, have not succeeded in proving their case against the Congress proposition of one All India Federation. The issue must be decided on a more tangible and concrete proof.

The satisfactory proof of the existence of an Indian nationality will be a practical demonstration of the ability of the Indians either to maintain an Indian Government according to democratic principles or to control the local governmental machineries and their policies by a national organisation of popular or democratic type. These alternatives will be possible only if there be a strong sentiment of one Indian nationality. Can Congress prove its case in any of these positive manners? The Congress never argued out its case on these lines but only beat about the bush. The Central Government of India is not of democratic or responsible type and in consequence, the Indians have not got any opportunity to show their ability to maintain a democratic Central Government. But since 1937 fully responsible and democratic governments have been functioning in the provinces of India and with the exception of the first few months, the All India Congress Committee has been controlling their machineries as well as the policies of

CONGRESS STANDPOINT EXAMINED

seven out of eleven provinces. The Congress is an intensely democratic and national organisation. There is no bar to membership due to differences of religion, caste or race. Even assuming the Indians to be extremely poor, an annual subscription of the nominal amount of a quarter of a rupee cannot be considered as an obstacle to the Congress membership. Congressmen of a locality first form local unions and select their executive, according to 'one man one vote' principle. The smaller unions are federated in a hierarchical form, into district, provincial and All India Congress bodies, the last named being the supreme authority on all the Congress bodies of lower ladder in the hierarchy. This popularly constituted and nationalistic organisation has worked miracles. It has cut across the provincial nationalities and cultural entities and has shown wonderful organisational strength. It captured the governmental machineries of seven democratically constituted provincial governments and controlled their policy almost absolutely. The manner in which it changed the Khare government of C. P. proved to the hilt the abject subjection of the governments to the dictates of the All India Congress. The provincial governments are responsible to the respective provincial legislatures and not to the Congress so far as legal aspect is concerned. The legislators on the other hand are responsible to the voters at large on whom the Congress has got a great hold. Through its hold on the voters, the Congress ultimately exerts its influence on the governments. The loyalty of the governments to the Congress command originated from the fear of being ousted if they did otherwise. From this it follows logically that the voters themselves want their governments to follow the Congress command; in other words, they want to live a united life or which is the same thing, they have got a sentiment of one nationality. The existence of this sentiment of one nationality in the seven Congress provinces has been proved not only in this positive manner but also in a negative manner, the latter being a more exacting and satisfactory proof. After the declaration of the present European war, the Congress provinces have thrown out the reins of government at the dictates of the Congress which has made the working of popular governments impossible in those areas. The hold of the Congress on the peoples of these provinces, specially on an overwhelming majority of them is, therefore, absolute and this proves conclusively the existence of one common nationality in all these provinces. This sentiment of one nationality will provide a satisfactory basis on which the structure of a stable and popular Central Government can be raised.

The Congress believes in one nationality for the whole of India. All the Congress members, therefore, are one nationality minded. The population of the Congress provinces are also of the same mentality, otherwise they would not have subscribed to the Congress creed. But in the remaining four provinces i. e. the Punjab, Sind, Bengal and Assam, the Congress appeal has not succeeded in having the voters to subscribe to their views and in consequence the popular governments of these provinces, have not come under the control of the Congress. The Congress has not succeeded either to construct these governments, at least single handed, or to make democracy unworkable. The non Congress provinces therefore, do not possess the same sentiment of nationality as the Congress

THE INDIAN CONSTITUTIONAL TANGLE

provinces. Hence an all India popular government can be established only over those areas where majority of the people are one nationality minded after the Congress i. e. the Hindustan Provinces of India (see the map). The four non-Congress provinces cannot be combined with this Congress India because of the absence of this sentiment amongst the peoples of those provinces.

So far as the Native States are concerned, it can be presumed without the fear of being contradicted, that the residents of the Central India Agency, Eastern States' Agency, Hyderabad, Mysore, and the other smaller states of the six Central Congress provinces are all one-nationality minded after the Congress, because their surrounding people are of this mentality. Rajputana stands between the Congress and non-Congress areas and a clear cut decision cannot be safely given about its attitude. Anyway, it can be maintained, and I do not think any one will seriously doubt the truth of the contention that the south eastern corner of Rajputana is Congress minded. Hence the contention of the Congress that there exists among Indians the sentiment of one Indian nationality is true for the trunk part of India which extends from the Himalayas to Cape Comorin and from the eastern borders of Bihar and Orissa to Arraballi Hills. For this vast area one Central government on a popular basis is quite a practical proposition.

The North Eastern and North Western parts of India which are not Congress-minded should have two separate governments of their own. The population of these two areas of N. E. and N. W. are mainly followers of Islam and some utopian schemes think of putting these two areas under one government. A bit of knowledge about the rudiments of geography should convince anyone of common sense as to the impracticability of such a scheme. Hence there is no other alternative but to have three governments in India. To combine North East and North West India with the Congress India, will be tantamount to putting those two parts under the subjugation of the latter because Congress India has an immensely bigger population than that of the two non-Congress units taken together. It will also not be prudent and wise to combine these units with the Congress India against their wishes. This may lead to civil war and disruption of the state.

The North West Frontier Province however is an anachronism in this scheme. This province is mainly congress minded but it is separated from the Congress India by the non-Congress area of the Punjab. On the other hand it is a very small and sparsely populated country and will not be able to maintain a government of its own. For this reason it has got to be necessarily combined with the non-Congress North West India.

India is therefore, to be split up into three units and organised into three states. We have already seen that the Congress India has a national unity sufficient to maintain a popular national state in that area. In the North East corner, Bengal is populated entirely by the Bengali race which also constitutes a major part of

· CONGRESS STANDPOINT EXAMINED.

Assam's population. The remaining Assamese people, not exceeding two millions of Ahoms, will not be able to maintain a separate existence and has got to be combined with the Bengalees to form one Greater Bengal state. Bengal and Assam counting nearly sixty millions of men will be a quite populous and big state. The N. W. India, comprising the Punjab, Sind, Beluchistan and N. W. F. Province, has to be a federated state in which the last named should have a specially autonomous position. This will also be a fairly populous state counting more than forty million heads.

Some critics suggest that N. W. and N. E. corners of India, for which I like to use the names of Pakistan and Greater Bengal respectively, are not Congress minded because the majority of the residents of these localities are Muslims who constitute a nationality different from the rest of the Indians. Perhaps there is an element of truth in the assertion. But there are certain indications that tell a different story. The North West Frontier Province is more Islamic than the Punjab or Bengal but contrary to expectations, it is a Congress-minded province. On the other hand in Bengal the provincial Congress, manned mainly by the Hindus, have broken away from the All India Congress. The causes of the differentiation of Pakistan and Greater Bengal from Congress India, which I like to name Hindustan, might not have originated from the predominantly Muslim population of the two former and the Hindu population of the latter. The causes that really distinguish one nation from another cannot be generally ascertained and defined. It is no good to try to define the indefinable. The religions may have done something in this differentiation but we must recognise the existence of some other causes without which we cannot explain the Congress mindedness of the Frontier Province, a Muslim area and the defection of the Bengal Congress a predominantly Hindu organization. We are not concerned here so much with the causes of differentiation in India as with the fact of differentiation. For whatever reasons it may be, India is divided according to nationalistic principles into three big units.

The Congress is, sometimes, accused as a Hindu communal organisation by some Muslim intellectuals. Syed Abdul Latif in his brochure "The Cultural Future of India" has tried to prove this allegation by quotations from the writings of Mahatma Gandhi who is the spiritual guide of the Congress. But whatever may be the sayings of the Congress leaders, they cannot poohpooh the simple fact that anybody willing to pay four annas annually can become a Congress member as a matter of right. Issues are decided by votes and not by sayings. Why not Muslims enter into the Congress in large numbers as to make their voice effective? If they have decided not to do so it must be due to their desire not to do so. By failing to accept this nationalistic or democratic challenge, the Muslims have voluntarily accepted the position of a dissatisfied minority nationality. The Congress, simply by adopting this popular or nationalistic system of their own organisation and in effect by an open challenge to the opponents in such a fair struggle, continues to be a nationalistic organisation. Pakistan and Greater Bengal by remaining unimpressed by the Congress

THE INDIAN CONSTITUTIONAL TANGLE

appeal have dissociated themselves from the nationality for which the Congress stands but as far as the Congress appeal has succeeded to secure the allegiance of people, it remains a completely nationalistic organisation.

Some commentators may suggest that the semblance of nationalistic unity observable in Hindustan has been brought about by the British rule and the English language. With the assumption of responsibility by the Indians, the British rule will cease to exist and the local vernaculars have replaced English, in some cases and will replace it in all cases in the near future, as the medium of instruction. The uniting factors, having ceased to function, will disunite Hindustan in no time. This apprehension seems to be too far-fetched. Congress India has been trying successfully to adopt Hindustani as the common language of India. Moreover, the Government of Hindustan, if it materialises, will necessarily devote its energies to cement more and more the forces that have brought about this nationalistic sentiment. This should, however, be borne in mind that nationalism is a dynamic sentiment. If the Hindustani nationalism does not find a concrete expression in a state of Hindustan it may lead to some re-alignment of forces and formation of several nationalities in place of the Hindustani nationality. But anyway, it is extremely difficult to prophesy and dogmatise about the tendency of evolution of national sentiment. The Austrian Germans may continue as a separate state due to political exigencies and this separate existence may develop in them a sentiment of Austrian nationality. But at the same time this very separation from the bulk of the Germans may re-kindle their sentiment of German nationality and may lead them to unite with the other Germans even at the risk of foreign intervention and war. Hence the termination of British rule in India and the displacement of English by Hindi, cannot be said to have any power of necessarily disintegrating the Hindustani nationality.

“Do not try to acquire things that are not yours against their owners’ wishes : it is aggression”.

CHAPTER V

Muslims' Standpoint Examined.

The Muslims of India, at least that section of them which is represented by the All India Muslim League, contend that they constitute a separate nationality of their own distinct from the rest of the Indians, and they demand to be treated as such. In Pakistan and Greater Bengal, where the Muslims are in majority, they want to organise Muslim states and in Hindustan where the Muslims are in a hopeless minority they want to be treated as a minority nationality and not as a community. Though the Muslim League claims to represent all the Muslims of India yet it cannot be denied that a substantial number of the Muslims are Congress members and many more are Congress minded. Immediately after the Lahore session of the Muslim League, these Congress minded Muslims held the Azad Muslim Conference and denounced the vivisection scheme of the League. In spite of this dissentient section among the Muslims, it is not difficult for an impartial observer to realise that the League minded Muslims are not only in an overwhelming majority but their majority is also increasing at an accelerated rate. Hence the bulk of the Muslims opine and believe that they constitute a separate nationality.

On the assumption of a distinct Muslim nationality theory, it has got to be conceded that wherever the Muslims are in a majority they should be allowed to form states provided other conditions do not insurmountably stand on the way. Exactly on this ground, the Muslim League demands segregation of Pakistan and Greater Bengal from the rest of India and their formation into Muslim states. They further suggest an exchange of the Muslim population of Hindustan with the Hindu population of Pakistan and Greater Bengal and a final liquidation of the minority nationality problem in India. The failure of the Congress to establish their hold on and command the loyalty of the bulk of Pakistan's and Greater Bengal's population, who are mainly Muslims is, therefore, easily explained by the theory of a separate nationality of the Muslims and is an indirect proof of its existence.

There is a positive proof, over and above the indirect proof mentioned before, of the existence of a Muslim nationality in India. In Bengal, Assam, the Punjab and Sind, there are League Coalition Governments, and in Bengal and the Punjab the governments, though based on coalitions, are, to all intents and purposes, League Governments. The League theory of a Muslim nationality has, therefore, been accepted and ratified by the bulk of the Muslims of these provinces. When a people think that they constitute a distinct nationality they should be considered as such by all outsiders. The Muslims of India, therefore, should be considered as a nationality. That the League has

THE INDIAN CONSTITUTIONAL TANGLE

not succeeded to establish purely League governments in the Muslim majority provinces in the last election seems to be due to the organisational defects of the party and the absence of a constructive programme. Since the beginning of the present war, the League has adopted a vigorous programme based on the theory of a separate nationality of the Muslims and the response of the Muslims to the call of the League has been phenomenal. Enrolment of the Muslims to the Muslim League register has been proceeding at a lightning speed. They are sweeping the by-elections of the legislatures, and elections to the local bodies. The Muslim League victory in the recent election to the Calcutta Corporation is a sufficient indication of the present tendency. Sir Abdulla Haroon the other day threw up a challenge to Khan Bahadur Allah Buksh, ex-Premier of Sind and the president of the Azad Muslim Conference to contest him in any election in Sind on the partition issue of the League or on any other issue. The Cawnpore District Muslim League has challenged Mahatma Gandhi to test, by a referendum, their acceptance of the League partition proposal. None of these challenges having been accepted an impartial observer can but form one opinion: the League has acquired a tremendous hold on the Muslim public and it can now sweep election in any Muslim constituency in India. This acquisition of strength of the League dates from its enunciation and adoption of a distinct Muslim nationality theory which is proved by this very fact.

The existence of a distinct Muslim nationality, however, does not suggest a different state arrangement in India from the arrangement suggested by the Congress or general nationality test. The Congress nationality test suggests a national government for Hindustan and separate governments for Pakistan and Greater Bengal because the latter two have not accepted, rather shaken off, the Congress allegiance. The Muslim nationality theory can, at most, claim the constituting of Muslim states only in those areas where the Muslims are in a decided majority. Pakistan and Greater Bengal are the only two areas where the Muslims are in a majority and as they are geographically separate, two Muslim states rather than one, have to be formed in these areas. Hence the Congress demand and the Muslim League demand, correctly and impartially analysed, suggest exactly the same state arrangements. The present quarrel between the League and the Congress arises from lack of understanding rather than from any real issue because there is no fundamental issue to be decided between them.

When the present India Government is split up into three autonomous governments of Greater Bengal, Hindustan and Pakistan, there will still remain the intractable Muslim minority problem of Hindustan and the Hindu minority problem of Pakistan and Greater Bengal, all clamouring for solution. The Muslim League suggests a radical solution of this problem, by a method adopted in Turkey and Germany, by a large scale exchange of Hindu population of Pakistan and Greater Bengal with the Muslim population of Hindustan. Though there is no theoretical objection to this scheme

MUSLIMS' STANDPOINT EXAMINED.

still it seems to be impracticable because it will involve the migration of crores of people unlike a few lacs in Turkey and Germany. Even then it must be frankly admitted that this is the only solution of this vexed problem. The Minority nationality problem is a source of constant danger to a state because minority nationals do not like to change their habitation and go away to their own people but like to be governed according to their liking and by their own men and whenever they get any opportunity they try to dismember the state. If a well-planned scheme of exchange of minorities be applied by the governments concerned, the disgruntled minorities may be persuaded and even coerced either to be reconciled to the rule of the local majority and gradually absorbed in it or to be migrated to areas inhabited by their own nationals if staying seems to them to be too hard. Changing of habitation is an extremely difficult and painful process and when the minority nationals are asked either to forsake their nationality or to migrate away, most of them do accept the first alternative. The German nationals of the Baltic and Balkan states, having been asked to return to Germany, did not comply in most cases but changed their German names and tried to be identified with the local people. If the principle of population exchange be applied in India, most of the Muslims in Hindustan will forsake their nationality and will try to join the Azad Muslim group rather than the League while most of the inhabitants of Greater Bengal and Pakistan will probably adopt Muslim names to avoid deportation. Therefore in the case of India also, migration will not exceed a few lacs but even then it is necessary because it will take the sting away from the minority problem. The minorities will not be able to press their separate demands and will gradually become oblivious of their different national instincts and be merged in the majority nationality.

Migration of population will be on a much smaller scale than expected due to another reason. All the Muslims of Hindustan are not Muslim nationality-minded and all the Hindus of Pakistan and Greater Bengal are not Congress nationality minded. There are substantial numbers of both who are definitely local-nationality-minded. The adherents of the Azad Muslim Conference may be much fewer than the League but they are there and will desire to be left undisturbed. The Congress adherents of Bengal have already seceded from the All India Congress and have already entered into an understanding with the Bengal Muslim League. They also will not be a party to this migration. We have already seen that most of the believers in the minority theory will forsake their belief rather than residence. Hence only a few extremists will be involved by this scheme of migration.

It will be extremely rash to suggest that the individuality of Pakistan and Greater Bengal has originated from their preponderance of the Muslim population only. The sentiment of local nationality also has worked in the same direction. It is an incontrovertible fact that most of the present day Muslims are converts. The Muslim rulers of India who ruled for about a very much bother with the religion of the people and it w

THE INDIAN CONSTITUTIONAL TANGLE

the Hindus into Islam. If this were the case, there could not have been a Hindu majority in the Agra province where the Imperial capitals were located. Those who adopted Islam, did it of their own free will, being impressed by its tenets. The very fact that Islam struck its roots so deep in Greater Bengal and Pakistan but not in Hindustan, indicates the existence of some deeplying and fundamental differences in the traits and sentiments of the population of those two areas from those of Hindustan. This shows further that there are some elements of unity between the Hindus and Muslims of Bengal and Pakistan and the national sentiments of those two areas are general rather than communal. Treated with toleration and justice, the Hindu minorities of these two areas will, most probably, be indistinguishably welded together with the Muslim majorities leading to the growth of perfectly homogeneous nationalities. There is no necessity for migration and interchange of population. If the irreconcilables do migrate away it will make much easier for the remaining, to mix up with the majorities. The minority problem of Bengal and Pakistan will not, therefore, be at all intractable and baffling to solve.

The Muslim minority problem of Hindustan will, probably, be a bit more difficult and baffling. The Muslims of this area represent a high percentage of migration from outside and they, by contrast with the surrounding Hindu population, are maintaining a separate culture so diametrically opposed that the unity between the two may be said to be slackening with the lapse of time rather than strengthening. The resentment of the Muslim minorities of the provinces of Hindustan under the Congress Governments which could not help being Hindu majority Governments, is a clear proof of their irreconcilableness as opposed to the moderation of the Hindu minorities of Bengal and Pakistan. But the situation cannot be helped without a mass migration of the Muslims from Hindustan to Pakistan and Bengal. We have already seen that the migration of crores of people is an impracticable proposition. The overwhelming majority of the Muslims of Hindustan, deciding to stay where they are, have got to reconcile themselves with the brand of governments that ruled lately in the Congress provinces. There is no way out of this because human ingenuity has not as yet succeeded to devise separate governmental machineries for different nationalities living intermingled over the same geographical area. By a state-aided scheme of migration the sting of this Muslim minority problem should be taken out as far as practicable.

The Muslims of Northern Hindustan should migrate either to Pakistan or Bengal, whichever be nearer or convenient to particular individuals. The climatic surroundings of Pakistan and Bengal will not be fundamentally different from those of Northern parts of Hindustan adjoining those areas and the migrated Muslims will not find a very incongenial home in those places. But it will be a great hardship to ask the Muslims of Deccan on the southern side of the Vindhya and Satpuras to migrate to Bengal or Pakistan. Over and above the great distances to be covered, the climatic conditions are also substantially different. Due to the difficulties of this migration, it is as bad as no offer.

MUSLIMS' STANDPOINT EXAMINED.

Hence an area should be carved out in the Deccan proper to provide a national home for the Muslims of Deccan and the area so selected should have a high percentage of Muslims already living there. The Malabar coast on the Western Ghats, where the Mopla Muslims live, will undoubtedly be the best site for the purpose. The area, as shown in the map, should be placed under a Muslim prince and given an autonomous provincial status in the Hindustan Federation. The groups of islands of Maladdive and Laccadive may conveniently be patched up with this Malabar state. The suggestion for the creation of a Muslim native state rather than a democratic province, is due to the fact that though the Muslims constitute a substantial percentage of the population of this area, the Hindus are still in the majority and the democratic government will not be able to provide a congenial atmosphere for the Muslim culture. By a system of assisted emigration of Hindus and immigration of Muslims to this area, if and when the Muslims form the majority, government will be reconstituted on democratic lines. The area demarcated in the map for the Malabar Muslim province is quite small and the state formed here will be too small and weak to deserve a sovereign organization. For this reason it has been suggested that it should be made a province of the Hindustan state. If immigration of the Muslims overflow the capacity of the Malabar state, the adjoining areas, rounding Cape Comorin, should be joined up with it and if and when the population of the state reaches near about ten millions, it may assume its sovereign rights. Till then it should continue as a province of Hindustan under a Muslim prince. In conclusion, we find that a state aided scheme of migration of the Muslims from Hindustan to Bengal, Pakistan and Malabar and of Hindus from these three areas to Hindustan, will take away the sting out of the minority problem and though migration may not materialise on any substantial scale, still after the migration of the irreconcilables, the problem will be amenable to complete liquidation by the respective states.

All the previous discussions lead to one inevitable conclusion that the Hindus and the Muslims constitute two distinct nationalities and India is to be trisected to meet the national aspirations of these peoples. The vast areas of Hindustan also, do not contain a homogeneous people. There are many nationalities speaking many languages and differences among them are real and conspicuous in many cases. Even then a degree of unity among them has been attained which has crystalised in the form of a sentiment of Congress-nationality on the basis of which it has now been possible to organise one government for the teeming millions of Hindustan. If so much has been attained, some suggest, it should further be possible to weld the Hindus and the Muslims into one nationality. The British rule over the Hindus and Muslims for the last two centuries, by providing an identity of circumstances, has instilled in them a fellow feeling which, when fully developed, will probably attain the desired el-dorado. In their common hatred against foreign domination, the Hindus and the Muslims are the same and in their general struggle for India's independence against Britain, they will come closer and closer till they see eye to eye and are united into one common nationality. The unity

THE INDIAN CONSTITUTIONAL TANGLE

brought about by the British rule is being further strengthened by the English language that has been adopted by the educated Indians as their medium of instruction and thought and this common language is helping them to understand and respect each other's standpoint. Hence it is reasonable to expect that in the near future the Hindus and the Muslims will be united into one nation and it will not be at all necessary to vivisect India.

The above argument is true as far as it goes but it does not go very far. The unifying action of the British rule and the English language, will continue only as long as they are there. Almost all the provinces have given up English as the medium of instruction in favour of their local vernacular, and the common Hindustani vocabulary has been divided into two book-languages i. e. Hindi and Urdu by the two communities. Again, in the provinces, autonomy has been already granted and foreign rule has been displaced by the government of the people, by the people themselves. In the case of the Central Government also, it has been decided by the British Government to introduce responsibility and liquidate foreign rule. This is also the aim of the Congress and the League. Once this is done, further unifying action of foreign rule will *ipso facto* disappear. This was clearly narrated by John Stuart Mill in 'Representative Government' which we quote below: 'When nations, thus divided, are under a despotic government which is a stranger to all of them or which, though sprung from one yet feeling greater interest in its own power than in any sympathies of nationality, assigns no privilege to either nation and choose its instruments indifferently from all; in the course of a few generations, identity of situation often produces harmony of feeling, and the different races do come to feel towards each other as fellow countrymen; particularly if they are dispersed over the same tract of country. But if the era of aspiration to free government arrives before this fusion has been effected, the opportunity has gone by for effecting it. From that time, if the unreconciled nationalities are geographically separate and especially if their local position is such that there is no natural fitness or convenience in their being under the same government, there is not only an obvious propriety, but, if either freedom or concord is cared for, a necessity for breaking the connection altogether' It is an undenying fact and should be clear from our previous discussions that the Hindus and Muslims of India have not as yet succeeded in uniting in one common nationality but the era of aspiration to free government i. e., democratic and responsible type of government has arrived and it has been decided by all the parties concerned to have democracy introduced immediately. The unreconciled Muslim minority are not moreover, distributed as minority all over India but they are in decided majority in Pakistan and Bengal where they feel confident of maintaining separate state existence. It has already been explained in details that to introduce democratic form of government on the basis of two irreconciled nationalities, especially when they are geographically separate, is to build a structure on shifting sand and is as good as

MUSLIMS' STANDPOINT EXAMINED.

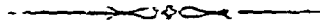
inviting the nemesis of civil war, Hence under the present circumstances it is not possible to have one democratic and responsible government for the whole of India and to expect to have peace in this country simultaneously.

The optimistic believer in the theory of one All India nationality sometimes argue on a different line. Once a purely democratic form of government is organised, party alignments will leave the communal arrangements and take to economic lines of rich and poor, haves and have-nots, capitalists and labourers. These party organisations will cut across the religious and provincial barriers because hunger knows no religion. State organisation is primarily concerned with economic and political affairs and has practically nothing to do with religion which is the private and personal affair of an individual. There is no official religion in Turkey. Soviet Russia has deliberately suppressed all religions. By emulating their example, if India organises her political parties on economic lines and work out Indian democracy on these principles, the Hindu and Muslim masses will be welded together into one homogeneous nation. Freedom will thus bring unity in India.

In the above argument there is an extreme confusion of thought. The point at issue is to ascertain whether there exists a sentiment of one All-India nationality to provide the basis of an All-India government on democratic lines because without such a basis democracy is likely to be disrupted by internecine wars. The apologists of an All-India nationality, however, want to use the machinery of an All-India democratic government to develop the sentiment of one nationality. This amounts to an admission that the sentiment of one nationality does not exist in India and they want to develop it by democracy. This puts the cart before the horse and a development of this kind is without any precedent in history. Economic party alignments of Russia have not made the opposition of non-Russian nationalities of Russia, less hostile to the realm than before. In spite of the denationalisation of religion in Turkey, exchange of Greek nationals had to be taken recourse to there. Joint democracies of Belgium and Holland, Norway and Sweden were disrupted. Evolution, on fundamentally different lines, cannot be expected in India. Communal animosity has been increasing in India *pari passu* with the introduction of democratic responsibility in the ever increasing spheres of government. After the introduction of Provincial Autonomy and on the eve of introducing responsibility in the Centre, communal hatred has reached its climax and has frustrated all attempts at introducing further instalments of responsibility. In the face of these developments brought about by the free governmental institutions, it is absolutely silly to suggest that completely free governments will effect unity between the Hindus and Muslims. Sentiments of nationality are, even now, stronger than economic interests all over the world and in India it is specially so because of its admixture with religion and the assumption of a supernatural value. Russian socialism was supposed so long to be of international type and Russia a state of the poor and workers but in the recent Russo-Finnish

THE INDIAN CONSTITUTIONAL TANGLE

struggle it has been conclusively proved to be of aggressively national type. The national socialism of Germany is outspokenly national. So is Fascist Italy. Aggressively ever increasing tariff barriers also prove the greater strength of national sentiments as opposed to economic interests in every country of the world. What has not succeeded in the outside world cannot be reasonably expected to succeed in India. Even if the poor men of the various nationalities of India are supposed to have united under some imaginary circumstances and have the arrangements of the state altered in their favour, their different sentiments of nationality will come to play again and disrupt the state all the same. Hence it is no good evading the issue. Party formations on economic lines will not be able to cut across the sentiments of nationality in India and even if it materialises at any moment it will be of transitory nature only. In India as a whole the Muslims are in a hopeless minority and a central democratic government of India will be of the brand seen in the Congress provinces till lately and against which the Muslim League has already declared a civil war. In the past, wars in India, were never fought on communal or national lines. The internecine wars of India were always fought by the mercenary soldiers employed by particular adventurers or dynasties in sheer self aggrandisement. A civil war between the Hindus and Muslims, spread all over India, will be infinitely more deadly than any ever waged in India in the past and should be avoided by all concerned at all costs. There is, therefore, no way out but to trisect India as suggested by nationalistic considerations.



“Faults are thick where love is thin.”

CHAPTER VI

Standpoint of the Native States examined.

In examining the Britain's standpoint we have seen that an understanding with the princes, has been made a condition precedent to the introduction of responsibility at the Centre. In the scheme of the Central Government envisaged in the Government of India Act, 1935, princes were given an undue weightage in the Federal Legislature and Executive so much so that their voice was to be made decisive in all central governmental affairs. Even this did not satisfy the princes and the federal part of the constitution could not be put into operation because the princes, upto the requisite percentage, did not come forward to join the federation. Consent of the princes, as the condition precedent to federation, therefore, means that they are to be propitiated with still greater representation. We have already seen that by making this stipulation, Britain has been clearly in the wrong and the motive of the British Government has been liable to serious misinterpretation. The India Government now exercises some paramount power on the native states and the responsible federal government to be organised, will wield those powers on the states in future. To whom will these powers be transferred? British Government is pledge-bound to develop democratic institutions in India and to transfer power to the Indians. The preamble of the Government of India Act also, contains this assurance. In accordance with this assurance the power should therefore be transferred to the people of the states. By such transfer the princes will not be affected in the least because those powers are now exercised by the India Government and not by the princes. If the domain of the responsible federal government are strictly restricted to only those functions that are now within the jurisdiction of the India Government, princes will have absolutely no cause of complaint. The utmost that Britain can stipulate is to make judicial provisions to keep the federal government within reasonable limits in the exercise of paramountcy over the states.

But contrary to expectations and assurances, the state subjects have been forgotten altogether and the representations from the states to the Central Government, have been restricted to the nominations of the princes only. They have been, over and above, given an undue weightage and the weightage is expected to be increased all the more. This arrangement has not only set at naught democratic principles but the princes have been given a very great and decisive power in the Government of British India as well, the power that they never enjoyed before. It is to be marked that the British Government will retain direct connection with and therefore the same influence on the Indian princes. Hence the powers that are to be transferred to the Federal Government under the

THE INDIAN CONSTITUTIONAL TANGLE

Government of India Act 1935 can be made ineffective and may be even nullified by Britain, whenever she likes, by exercising her influence and pressure on the princes. Mischievous persons can easily point this out as an example of Britain's breach of promise and bad faith. Personally I believe that this contradiction in the Government of India Act has been caused by the extreme conservatism of British statesmen, their dogged tenacity to stick to the words of the terms of contract rather than the spirit of it and their inherent unwillingness to disturb the old order of things. These traits of their national character sometimes lead them to behave in a way quite contrary to their aims and decisions. When their attentions are drawn to it they try to pooh-pooh it away and do not like to correct the contradiction unless circumstances force the issue to a head. The contradiction we have pointed out above must have been caused by extreme reverence of Britain for the wordings of treaties with the princes and at the same time their sincere desire to develop self-governing institutions in India. They will not choose between the two unless they are faced with a deadlock. That deadlock in the constitutional development of India has arrived and to implement their assurance, the British Government have got to arrange for the representation to Central Government of the state subjects and not of the princes in strict proportion to population.

The native states of Hyderabad, Mysore, Travancore, Central India Agency, Kathiawar States and the other states of Bombay, Madras, C. P., Behar, Orissa and U. P., should all be included in the state of Hindustan because the inhabitants of these states are similar in nature to the surrounding peoples of the British-Indian provinces included in Hindustan. In the Federal Government of Hindustan, these states will be represented in strict proportion to population through the elected delegates of the state subjects only. The powers of the Central Government, so far as the states are concerned, will be strictly restricted only to those which are now exercised by the Governor-General on them. This will leave the states completely unaffected by the organisation of the federal government. Some of the states of the Rajputana agency lying to the South of the Aravali Hills, Ajmer and Tonk (see the map) may with advantage be joined up with the Hindustan Federation because of the similarity of their population with the adjoining areas of Central India Agency and U. P.

In like manner, the native states of the Punjab, Sind, Beluchistan, N. W. F. P. and of Rajputana Agency north west of Aravalli Hills, Ajmer and Tonk, should be joined up with the Hindustan federation and their representations arranged according to the same democratic principles. In Greater Bengal, the states of Cooch-Bihar, Hill Tipperah, Hill Chittagong, Manipur, Shillong states etc, should be joined up with Bengal and their residents will have proportionate representation in the organisation of the Greater Bengal Government. In each case, the government will exercise only that amount of control on the states which is now exercised by the paramount power. The internal authority of the native states will not be affected in the least by the organisation of the three Indian sovereign states.

STANDPOINT OF THE NATIVE STATES EXAMINED

The internal autocracy of the princes also cannot be allowed to continue indefinitely. The world is moving towards democracy and the British Government is committed to a policy of developing democratic institutions in India. The British Government now exercises an unquestioned sovereignty over the states and to implement their assurance to Indian people, they should persuade the princes to introduce responsibility in the internal administration of their states. The British Government, however, is not showing even the slightest inclination of exercising persuasion to attain this end and it is probably due to the following reason : Indian princes are, after all, Indians and to compel them to introduce democracy in their states, will appear like favouring one section of the Indians against another. It is a domestic affair of the Indians and should be solved by themselves.

From the standpoint of India, it may be argued that the despotic government of the princely order is more in conformity with the temperament of the oriental people like the Indians. They understand and appreciate much better the absolute rule of the princes rather than the democratic type imported from outside. The despotic government, specially when it is of benevolent type, is less costly than the representative government and it is sometimes more efficient as well. The cost of this type of government is simply the cost of maintaining the princes' family which under Indian circumstances, should not be very high. The tradition of the Indian kings and princes is not to take anything from state treasury but to manage their expenses out of their own earnings. Emperor Nasiruddin Balban earned his livelihood by tailoring caps. A benevolent despot with such selfdenying ordinance, will be highly appreciated by the Indian masses and an improvement in the outlook of the Indian princes on these lines is the desired reform rather than the abolition of the princely order.

This brings us to the controversy of Autocracy versus Democracy. Is benevolent despotism preferable to democracy under Indian circumstances? How to assure that despots should always be benevolent. If benevolence is to be enforced on a despot by an overlord, it ceases to be a despot. Hence it is not always possible to guarantee benevolence from a despot. Even when it is possible to guarantee benevolence from a despot, modern civilised world considers it to be a very bad substitute for democracy. The politically conscious section of the Indians also is crying very hoarse for the introduction of democratic institutions in the fullest degree in India. Though some of the Indian princes, specially the biggest amongst them, are really benevolent and highminded, the majority of the smaller ones are notorious for their misrule and debauchery. Even the most conservative British Overlord had to dethrone some of the most corrupt. Under the present circumstances, the princely order has become a serious anachronism in the Indian political life. It is now admitted on all hands that real economic and political emancipation of state subjects cannot be effected without abolishing the feudal rule of the princes. The British Government by committing itself to the introduction of democratic government has indirectly subscribed to this view.

THE INDIAN CONSTITUTIONAL TANGLE

Political agitations and movements have been conspicuous by their absence in the native states while the provinces of British India have seen great political upheavals in the recent past. It may be plausibly argued that the state subjects have abstained from political agitations against their princes because they are contented with their rule. But in reality it is exactly the reverse of the truth. Political agitations could not enter into the native states partly due to a less tolerant attitude of the princes towards these movements than their British compatriots but mainly due to a deliberate decision on the part of the Indian political leaders, Hindu and Muslim, not to carry their agitations in the states proper. By a strange coincidence of circumstances the biggest native state Hyderabad has a Moslem prince over Hindu subjects. So is mainly the case with Junagadh, Jaora and Bhopal. On the other hand, Kashmir, a big native state with Muslim subjects, is ruled by a Hindu prince. Similar is the case with the other states of the Punjab and Northern Rajputana. The Muslims of India, misinterpret any agitation of state subjects against Hyderabad, Bhopal or Junagadh as a mischievous move of the Hindus against Muslim princes. Similarly the Hindus misinterpret the agitations of the subjects of Kashmir or the Punjab states as sheer mischiefs of the Muslims against the Hindu princes. Even if the grievances of the state subjects be genuine, these cannot be aired because of these cross currents of communal feelings of the Indians. The Indian national leaders of different nationalities have been systematically urging their enthusiastic followers within the borders of the native states to keep quiet because disturbances there, will affect the interests of princes of their own communities elsewhere. This provides us with another proof that the Hindus and the Muslims constitute two distinct nationalities. Their sympathies with the people of their communities in all grades of life are much stronger than their sympathies with the people of other communities in the same grade of life. Herein lies the real strength of the Indian princes. They enjoy the solid support of the entire mass of their own community in India and this has made their position quite impregnable. No political agitation can be carried against them without embittering further, the already strained communal feelings of the Hindus and the Muslims.

The most radical solution of this communal anomaly is the complete abolition of the princely order from the political life of India. This will bring the condition of the state subjects, at least, to the level of the people of the British Indian provinces. If I was given a free-hand in this matter, I would have given suitable and lucrative posts to these princes such as, ambassadors, trade agents, commissioners of divisions, high commissioners, consuls, sheriffs etc in exchange of sacrificing of their state rights. The biggest members of this order, Hyderabad and Mysore might be given the posts of constitutional monarchs or Presidents of Pakistan and Hindustan respectively in lieu of the liquidation of their states. Of course, it is no good discussing these utopian schemes because the conservative Britons can never persuade themselves to take such a revolutionary step. The only alternative step to resolve this communal anomaly is to

STANDPOINT OF THE NATIVE STATES EXAMINED

arrange an exchange of princes. The Moslem Princes of Hyderabad, Bhopal, Junagadh etc, ruling mainly over Hindu subjects should be transferred to Muslim areas and the Hindu princes of Kashmir, the Punjab and Northern Rajputana should be transferred to Hindu areas. When these interchanges are complete, political movements of state subjects can no longer be misconstrued as communal mischiefs and the princes will ere long find it much wiser to introduce democracy in their states

Some may consider the suggestion to be rather scandalising to the princes who are to be bartered like chattels. Though this will be an unsympathetic account of the princes and wound the feelings of at least some of them, still the princes of India do not look like national monarchs. The present distribution of the British Indian Provinces and the native states is the result of sheer military and political manœuvres in the recent past when Britain was conquering India. Uptil now, the princes have not succeeded in establishing such a permanent psychological link with their subjects as to make themselves an integral and inseparable part of their states. The exchange of princes, specially the few we have suggested, will not therefore be of any political moment.

The exchange of a few princes only will not absolve the British Government of their responsibility towards state subjects. They should use their good offices to persuade the princes to introduce democratic form of government, at least, by slow doses. To be true to their promises, British Government must complete the democratization of the states at a not very distant date.



"Voice of the people is the voice of God"

CHAPTER VII

A Critical Summary

In the examination of the standpoints of the four parties concerned in the constitutional impasse of India we find that when properly and impartially examined arguments of the different parties lead very much to the same conclusion. The stipulation by the British Government of a Hindu Muslim unity is fully justified because if they have not as yet succeeded to blend up themselves into one nationality, the constitution of a democratic Government on the basis of the two nationalities may provoke civil war and may lead to disruption of the Indian State. In our previous discussions we have seen that the Hindus and Muslims do constitute two distinct nationalities and necessarily no one is willing to accept the domination of the other. But as the Muslims are in a hopeless minority in comparison with the Hindus, their unwillingness, to accept a fully democratic government and therefore the supremacy of the Hindu majority, can be conceded only at the cost of democracy in India. Over and above the inherent illogicalness of this desire, it is to be made clear that it has been decided finally to introduce democracy in India by all concerned. From this it follows that democracy must be introduced in India in spite of Muslim opposition. The only concession that the Muslims can reasonably claim is to have specified areas allotted to them to enable them to congregate their nationals and to allow them to organise separate states of their own. Till that has been done they are to live in the same state as minority by the sufferance of the majority. This is to be the case, only if the majority is in majority in every local area. But if the minority nationality happens to be in majority in some well defined areas, and if those areas are big enough to maintain their sovereign existence, those areas should at the very beginning be separated from the main state and minority nationals of the main state should be allowed to migrate there. As Hindus are in majority only in Hindustan and the Muslim minority happens to be in majority in Pakistan and Bengal, both of which are big enough to maintain separate state existence, India should at once be split up into three independent states and democratic systems of government should be given a full play in those three units. Over and above having two Muslim majority states and the right to have their nationals transferred to their states, Muslims are not entitled to demand safeguards for their nationals deciding to remain in Hindustan. The minority in every state should be there only by the sufferance of the majority and if they are not satisfied with their condition, they are quite at liberty to migrate to the state where their nationals are in majority.

The congress assertion that the Indians, at least, an overwhelming majority of them do constitute only one nationality, can be taken as true, only for those areas where their assertions are supported by the majority of inhabitants. The Congress nationality

A CRITICAL SUMMARY

theory has been upheld only in Hindustan and rejected in Pakistan and Greater Bengal and as such the government based on Congress nationality should, of necessity, be restricted to Hindustan. But Hindustan thus delimited also remains a vast subcontinent counting more than 250 millions of souls. The vast masses of humanity living here, are not of identical characteristics. There are some well defined nationalities living in separate and compact geographical areas of their own, such as Beharees, Hindustanees, Mahrattees, Rajputs, Gujratees, Oriyas, Andharese, Malayalese, Kanarese and Tamilians. Each of these nationalities has some distinct characteristics of its own. But transcending all these differences, the sentiment of Hindustani nationality has commanded the allegiance of this vast multitude and consequently there cannot be any objection to have one state of Hindustan. Thus, properly analysed, Congress claim suggests a state for Hindustan only, neither more nor less and it means trisection of India. The arguments of the British Government, Congress and Muslim League, therefore, suggest identical state arrangements.

So far as the princes are concerned, we have seen that they are not a party at all in the organization of federal governments provided the latter restrict their powers only to those spheres which are now under the jurisdiction of the paramount power. Hence their views need not be consulted at all in the organization of the Indian federal governments which will not curtail, in the least, the rights exercised by the princes at present. Far from consulting the princes in the organization of federal governments, it will be an obligation of the British Government to see that the state governments are democratised as early as possible. The first step in this direction will be to disentangle the problem of democratising state governments from communal cross-currents. This is to be effected by a system of interchange of princes so that the religion of the princes and the bulk of their subjects tally. The British Government should also exercise a gentle persuasion over the princes to democratize their governments as early as practicable.



"None so blind as those who will not see."

CHAPTER VIII

Pakistan

The general principles according to which the constitutional tangle of India is to be resolved have been laid down in our previous discussion. India is to be split up into three sovereign states or Dominions : Pakistan, Hindustan and Greater Bengal, all of which will have fully democratic governments. There remains nothing more now than to put the final demarcation lines between Pakistan and Hindustan on the one hand and Hindustan and Bengal on the other.

Before we can decide on the demarcation line between Pakistan and Hindustan we are to dispose of the problem of exchanging princes because the border districts between these two areas are all native states. Hyderabad is the biggest Indian state and its ruler cannot be exchanged with the ruler of Kashmir which is a thinly populated, hilly and unimportant state. If the Maharaja of Kashmir be given Berar which was formerly and even now to some extent, a province of Hyderabad state, it will be a square deal for the Maharaja and this is our first recommendation. The princes of northern Rajputana, (within the boundary line starting from the junction of Arravalli Hills and Bombay Presidency border, along Arravalli Hills to Tonk to the Chambal river along the border line of Rajputana and Central India Agency to the border of U. P. see the map), the non-Muslim princes of the Punjab i. e. Patiala, Kapurthala, Jindh, Nabha and Chamba and the princes of Simla Hill states in U. P., should have Nizam's dominions as well as the native state of Jaora partitioned among themselves. The territories obtained by these princes will be much better and richer than the territories forsaken by them. Rajputana is virtually a desert while Hyderabad is extremely rich in natural resources. The United Provinces of Agra and Ajodhya should be split up into Agra and Ajodhya along a line from the junction of the boundary lines of Rajputana, Central India Agency and U. P. i.e. where Chambal river touches U. P. straight to a point on the southern border of Nepal, five miles to the east of the extreme south western corner of Nepal. The territories of U. P. to the west of this line, Simla Hill states and the Northern Rajputana states should form the dominions of Nizam who will be termed the Nizam of Agra and Rajputana, with his capital at Agra. The province of Agra, included in the Nizam's dominions, was the seat of the Muslim Emperors for seven hundred years and even now is the seat of Muslim culture and heritage. Agra, Sekendra, Delhi and Aligarh are all situated in this area. Fairness requires this area to be included in the Pakistan state as well as to be ruled by a Muslim prince. The Muslim influence is even now dominant in this area and a Muslim native state for this area will, therefore,

PAKISTAN

be quite in fitness of things. Kashmir and Chamba should be combined together and made a British Indian province as *quid-pro-quo* for the loss of the Agra province from British rule. Patiala, Kapurtala, Jindh and Nabha should be made British Indian districts of the Punjab Province as the same *quid-pro-quo*.

Pakistan will according to our scheme include the Punjab, Sindh, British Beluchistan, N. W. F. Province, Kashmir and the native states of Agra and Rajputana, Rampur, Bhawalpur, Khairpur and Beluchistan. These will be the autonomous units of Pakistan Federation. The princes will enjoy the same rights and privileges which they are now doing. The Federal Government will exercise only paramountcy power over the states i. e. the power now exercised by the Viceroy on them. In the Federal Government only the state subjects, so far as the native states are concerned, will have representation though for the sake of expediency one third of the state representatives may be the nominees of the princes for the first ten years. The Hindus and Sikhs may be allowed to elect their representatives through their communal electorates.

Pakistan, thus delimited, will have a population of just over 40 millions and the Muslims here will be in a decided majority. We have already seen that the Muslims constitute a nationality of their own. The Muslims of this area have not, however, identical characteristics and there are several sub-nationalities, such as the Punjabies, Sindhis, Beluchis, Kashmiris, Rajputs and Pathans. In spite of these local peculiarities, Islam has conferred on them such a great cohesion that the Muslims of this area have developed the sentiment of one nationality. Probably, the Pathans constitute a solitary exception. The Pathans are not Indians but the co-nationals of the neighbouring people of Afghanistan. Their natural affinity with their co-nationals in Afghanistan being very strong, they are angry with their political connection with India and have been constantly troubling the India Government both in military and political spheres. Herein probably lies the explanation of their befriending with the Congress which is generally in opposition to the India Government.

It should be remembered that the Pathans are not Indians and they will not accept the Indian or Pakistani nationality, specially because, they have a national state of their own i. e. Afghanistan. Military considerations only have necessitated the incorporation of the N. W. F. P. in India. Through the Khyber Pass the invaders of all times entered India and this has always remained a knotty and potentially dangerous military problem of the India Government. The Pakistan Federation cannot with impunity give up the control of the Khyber Pass and therefore the N. W. F. P. The form of government and control of this area shall, of necessity, have to be of a different and peculiar kind. With the exception of these frontier people all the other sections of the Muslims have developed a very strong sentiment of Pakistani nationality which will provide a very stable basis of Pakistan federation. Moreover, in the province of Agra, probably the biggest number of immigration of the Muslims from the neighbouring provinces of Ajodhya and Behar will take

THE INDIAN CONSTITUTIONAL TANGLE

place. From the province of Agra a very large number of Hindus also will probably migrate away. This will make the position of the majority nationality all the stronger.

The interchange of a substantial number of people will not, however, liquidate the minority problem of the Hindus and Sikhs who will continue to be a source of weakness to this state. Exchange of population cannot be, and should not be made compulsory, and a considerable number of minority nationals will permanently remain in Pakistan. Is there any possibility of these minorities to be welded up with the majority and develop the sentiment of one nationality with the Muslims ?

Such a happy consummation is not only possible but I consider it inevitable in the political evolution of Pakistan. The Muslim political power that ruled India for 700 years, we have already observed, did practically nothing to convert people to Islam. Those who accepted Islam, did it of their own free will. The very fact that the bulk of Pakistani people became Muslims while the residents of the neighbouring areas, which were also under the same rule, did not do so, show that there are some deep-lying and fundamental characteristics of Pakistanis which distinguished them from the rest of the Indians on the one hand and maintained a degree of cohesion and solidarity amongst themselves on the other. The Punjabi Jats, definitely an ethnic race, are divided into three religious groups, Muslim, Sikh and Hindu. The difference of religion cannot obliterate the unity of their racial characteristics. Sikhism, recruiting their adherents from the Hindus and Muslims, was nothing but an attempt to unite all the Punjabis into one military nation with the help of religious tenets. Though the attempt failed to attain its object, still it shows an undercurrent of unity amongst the Punjabis and under favourable circumstances they are bound to be knit up together into a homo-geneous people. Ethnically, the Rajputs, specially of the areas we have included in Pakistan, and the Punjabis are cousin races. The Rajputs are more akin to the Punjabis than any other people in India and with them they will be able to develop a sentiment of one nationality. So is the case with the Sindhis, Beluchis and Kashmiris. A strong political unity pursuing a policy of just and kind treatment to the Hindus of these races will create a strong fellow feeling among them towards the Muslims of these races whom Islam has already united into one people and this will ultimately unite them into one nationality. Pakistan federation will, therefore, have a solid foundation to stand upon.

The inclusion of Rajputana and Agra in Pakistan is necessary for economic and military reasons as well. Without Rajputana, Pakistan will be militarily weak and hemmed in between potentially hostile Afghanistan and Hindustan, its position will be untenable. The Agra province is required by Pakistan to have the minimum of economic resources for a fairly strong power because the vast areas of Pakistan are sheer deserts. This province will also provide the asylum to a potential influx of Muslims from the Gangetic delta, specially Ajodhya and Behar.

"Cut your coat according to your cloth."

CHAPTER IX

Hindustan

The vast expanses of Hindustan including the British Indian provinces and the native states should be united together in a Hindustan federation which will have complete independence. The representation of the native states to Hindustan Federation, will be in strict proportion to their population and the delegates should be elected by the state-subjects only. At the beginning, the princes may be allowed to nominate one third of the states' delegates for not more than ten years. The powers of the Federal Government on the native states will be restricted only to the paramountcy power now exercised by Governor General and Governors. The scheduled castes will elect their representatives in the same manner as now and this should not be changed without a plebiscite of the general mass of these people. The Muslims may be allowed to have their own representation elected through their own electorates.

The Malabar Coast, including the native states of Travancore and Cochin as well as a part of Coorg, should be combined to create a native state under a Muslim prince. This will provide the asylum to the Muslims of Deccan plateau under the same climatic conditions. A fairly high percentage of the inhabitants of Malabar are Muslims who are known as Moplahs, and many of whom are of Arab descent. The place will be quite congenial to the Muslims of Deccan to migrate to and with slight efforts, it can be converted into a Muslim area pure and simple. The Nawab of Bhopal may be asked to take up the gadi of this native state. The island groups of Maladive and Laccadive should be combined with this state. The Malabar will have a provincial status, customs and defence being the only two subjects controlled by the Federal Government. The Muslim princes of Junagadh and Jaora will be given some areas either in Rajputana or Simla Hill states.

The provinces of Hindustan and the native states therein, grouped into agencies, should be re-arranged in such a way as to correspond to linguistic boundaries. The Bengali-speaking border districts of Behar i.e. Purnea, Dhumka, Santal purganas, Singhbhum, Manbhum and a part of the Moyurbhanj state should be transferred to Bengal. The truncated Patna and Ajodhya should be combined into the United Provinces of Behar and Ajodhya, which also include the Hindi-speaking northern area of the Central Provinces. The Central Agency and the south-eastern part of Rajputana left in Hindustan will be combined into one agency so that a uniformity of governmental policy between the Agencies of both of which are Hindi speaking, can be maintained. The other provinces according to linguistic boundaries will be as follows : Orissa, Andhra, Tamil, Kanara, Maratha

THE INDIAN CONSTITUTIONAL TANGLE

Maharashtra, and Gujrat. Hyderabad should be so partitioned as the boundaries of the re-constituted native states do not transgress any of the linguistic demarcations. The native states should be grouped into a many agencies as there are these major languages so that a uniformity of governmental policy with the British Indian province of the same language can be maintained. The boundaries of Mysore should be so altered as to include the entire Kanarese people. The eight re-constituted autonomous British Indian provinces and the various native states, grouped into agencies on linguistic lines, will be combined into the great Hindustan Federation. As the masses of this huge area have developed the sentiment of one nationality, Hindustan will be one of the biggest and strongest nations of the world.

Some Hindustani nationalists will probably sigh sorrowfully that Hindustan might be bigger and stronger still if Pakistan and Bengal could be included in it. We have already given our arguments why it cannot be done. But the attempt at reclamation need not necessarily be given up. The Congress will be quite at liberty to maintain their organization and movement in these areas and try to persuade them back to Hindustan. It should always be a matter of free choice. Now they want to walk out and in future they will be quite free to walk back and in that case there will be no outside power to stop them from doing so. Hindustan may, however, try to compensate the losses by accretion from the north and the south. Nepal is a Hindu independent state and the Maharaja of Nepal may be persuaded to join the Hindustan Federation. The Maharaja may be offered the post of the constitutional monarch of Hindustan to tempt him in. Similarly the island of Ceylon may be cajoled to join the Hindustan Federation.



"Many in one and one in many"

CHAPTER X

Greater Bengal.

The state of Greater Bengal will include the Provinces of Assam and Bengal, the Arakan and Patkai Hill areas now in Burma and the Bengalee speaking bordering districts of Purnea, Santal Purganas, Dhumka, Manbhum, Singbhum and the northern tip of the Moyurbhanj State and the island groups of Andaman and Nicobar. This expanse of land contains sixty millions of people and sufficient natural resources to give a satisfactory living to this multitude. Britain, France and Italy are some of the biggest powers of the world and their population strengths are 45, 40 and 45 millions respectively. Bengal, with its sixty millions can reasonably be expected to be one of the strongest powers of the world. Bengal's population will be exceeded to some extent only by Germany with her 80 millions and Japan with 70 millions, the two other major powers of the world.

This vast area has varied agricultural, mineral, forest and power resources. The inclusion of the Bengali speaking border districts of Behar is necessitated not only by considerations of race and language but also by those of the essential mineral resources of iron and coal to give the necessary economic strength to the new state. The vast forest areas of Assam and Arakan will for the time being give valuable forest products and in future agricultural lands to the rapidly growing population of Bengal. Patkai Hill areas also will serve this purpose to some extent. Mineral stores of iron, mica etc., and power resources of coal of Bengal and Behar, petroleum of Assam and river currents of Bengal will make possible an unlimited development of her industry, agriculture and communications.

The residents of this area may, on the whole, be said, to be of one nationality. We have already seen that the Muslims constitute a nationality of their own and the the Muslim population in Greater Bengal will be 51 percent of the total. Hence the majority of the population, at least, are of one nationality providing the basis of the Bengal state. But it may be argued that the minority nationality or nationalities being nearly equal to the majority nationality, it will be a state divided against itself and necessarily a very weak one. But the very fact that the bulk of the people of Bengal, some one thousand years ago, suddenly adopted Islam en-masse without any intervention of state power, indicates the existence of certain common characteristics of this people, not only of those who became Muslims but also of those who maintained their previous faith. A slightly careful examination will reveal these characteristics in their true perspective.

THE INDIAN CONSTITUTIONAL TANGLE

The residents of Bengal and Assam constitute the great Bengali race, the most numerous ethnic unit of India. The Hindus, Muslims and scheduled castes, constituting this Bengali race, originate, in the opinion of the most reliable historians, from a particular strain of the great Dravidian race that lived in the Indus Delta and the upper reaches of the river Ganges. They had a very high standard of civilization and worshipped the sun, snakes and the various forces of nature. Thousands of years ago, when the Aryans entered India through the Khyber Pass, they came into conflict with these Dravidians, who, in spite of their higher civilization, had to fall back and retreat down the Gangetic Delta due to the greater military strength of the more virile but less civilised Aryans. The continued pressure from the north west went on for hundreds of years till the most enduring remnants of these Dravidians entered the marshy lands of Bengal and Assam. Once they were in these marshy lands and acclimatised, they very effectively checked the further advance of the invading Aryans. The marshy lands of Bengal have always been a great handicap to the invaders and necessarily a help to the defenders. The Mongolian tribes that lived in Bengal and Assam, were pressed out of the plains and took their shelter in hilly and hitherto unpopulated areas. The Bhutia, Cooch, Tipra, Chakma, Khasi, Monipuri and other hill tribes are the descendants of these Mongol races. But many Mongols remained in the plains as subject people and in course of time were mixed up with the Dravidians by intermarriage. The section of Dravidians that entered Bengal was the hardest and most enterprising of their lot because all throughout the track from the Indus Delta to Bengal, the less enterprising parts dropped out from the migrating section and stuck to the ground as slave races. Hence the Bengali race is an admixture of the best strain of the Indus Dravidians and Mongolians i. e. they are Mongolo-Dravidians.

Though the Aryans were beaten back from Bengal and the boundaries between the Aryan and Dravidian kings showed signs of stabilization after inconclusive wars of centuries, the Aryans made their entry into Bengal by a quite different process. The Aryans were not under one king, but under a multitude of kings and military chieftains who were in perpetual warfares with one another. Whenever the military adventurers, claimants to the thrones, or occupants of thrones in the neighbouring Aryan Kingdoms were defeated by their opponents but did not like to accept the defeats as the final facts, they fled away with their remaining military bands to the protection of the Bengal kings. In this way, a substantial number of the military population of the Aryans got their entry into Bengal and settled down in the different political head-quarters and in time they managed to seize the political power of this country as well. Henceforward, the Aryans began to enforce their caste system in the social life of Bengal, the system that was hitherto unknown in Dravidian life. The Aryans mixed up, to a very large extent, with their Dravidian favourites and created many cross breeds who established themselves as the upper castes and who have systematically maintained their position as caste Hindu right

GREATER BENGAL

up to this day though with the lapse of time further admixtures took place and are taking place even now. In spite of a continuous diminution of Aryan blood in the higher castes, their social and political supremacy, always, looked like the domination of the Aryan people on the non-Aryans from which the latter did not find any way to extricate themselves.

After the Muslim conquest of Bengal and Assam, a large number of Muslim saints, under the guidance of Shah Jalal, distributed themselves over Bengal and Assam and began to spread the tenets of Islam. The democratic principles of Islam made a tremendous appeal to the lower castes i.e. to the bulk of the Mongolo-Dravidian population of Bengal and Assam who found in Islam a specific method of shaking off the caste domination of the so-called Aryans. They accepted Islam en-masse and Greater Bengal became virtually a Muslim country. The Muslims who came from outside were undoubtedly of Aryan stock but they mixed up with the local converts so thoroughly that after two or three generations they completely disappeared as an ethnic entity. The Muslims of Bengal, therefore, are Mongolo-Dravidians with a tinge of Aryan blood. The Caste Hindus also are Mongolo-Dravidians with a tinge of Aryan blood while the depressed classes are purely Mongolo-Dravidians. Hence the Bengalees as a race are primarily Mongolo-Dravidians, bulk of them containing a tinge of Aryan blood in them. The Aryans who entered into India in ancient times were the most adventurous amongst the lot. The same may be said about the Muslim Aryans who entered Bengal. The strain of Aryan blood that mixed up with the Dravidian strain in Bengal, was the very best among the Aryans. This admirable mixture of the best strains of Dravidian and Aryan bloods probably lies at the root of the exquisite intellectual capabilities of the Bengalees. Ethnically, therefore, Bengalees are practically all of one Mongolo-Dravidian race and are distinct from the North Indian races who are Aryan-Dravidians and the South Indian races who are primarily Dravidians.

Resuming our main line of thought we find that the caste Hindus and Depressed classes of Bengal are of the same race as the Muslims. In a Greater Bengal state, the Caste Hindu and Depressed class minorities should not prove intractable or irreconcilable. On the other hand, it is quite reasonable to assume that identity of blood will impel them to throw off the superficial differences that exist between them and the Muslims and they will feel that they are all members of the same great Bengali nationality.

The vast Bengali race of sixty millions, speak the same Bengali language. About two millions of Ahom people of upper Assam Valley, speak an Assamese language which is nothing but a dialect of Bengali. If Chittagonian and Silheti are the dialects of Bengali, Assamese is undoubtedly so. There was absolutely no necessity of giving Assamese the status of an independent language. Sooner this language is merged up with Bengali, better for the Ahoms. The narrow hill dialects of Assam should be allowed to die a natural death by sheer neglect. e Ara¹-nese of the part of

THE INDIAN CONSTITUTIONAL TANGLE

Arakan we have included in Greater Bengal, is akin to the Bengali language and is quite different from the Burmese language. Though a percentage of the inhabitants of the Bihar districts we have included in Greater Bengal, speak a corrupt Hindi, they can speak and understand Bengali as well. Border people, all over the world, are of this bilingual type. If primary education is made compulsory through the medium of Bengali, the bilingual character of these people will soon disappear.

Bengali language is the mother-tongue of both the Hindus and Muslims. Very strenuous efforts were made to make Urdu the mother-tongue or at least the book-language of the Muslims. That attempt failed. Subsequently attempts were made to have a Muslim-Bengali in Urdu script but that attempt also failed. The mother-tongue and the book-language of both the Hindus and Muslims are the same Bengali. The Muslims and Hindus of U. P., Bihar, C. P. etc., living side by side and having the same vocabulary have differentiated their languages into Hindi and Urdu while in Bengal the two communities are working side by side to develop their Bengali language of which they are justly proud. Attempts are being made to drive the Bengali language out of Hindustan and this is being strongly resented in Bengal. The Congress proposal of making Hindi the official language of the whole of India is all the more resented by the Bengalees because Hindi is an inferior language to Bengali and it is intolerable to them to see Hindi being given a superior place to Bengali.

This common medium of thought and feeling among the different sections of the Bengalees has not only created a strong sentiment of fellow feeling among the Bengalees in general but also has created a common cultural and intellectual interests of the Bengalees as opposed to the rest of the Indians. This fact, more than any others, has developed the Bengali sentiment into the sentiment of one Bengali nationality. The problem of the Hindu minority in Greater Bengal is not a question of minority nationality at all. The state of Bengal has got a very stable basis to stand upon.

The climate of Bengal is very much different from that of the rest of India. It is not only extremely moist but the whole country is nothing but the deltas of the Ganges, Brahmaputra, Meghna and their tributaries. Vast tracts of this area remain under flood waters for about six months, a phenomenon not only peculiar in India but in the whole world. Rainfalls are also exceptionally heavy. This peculiar climate of the Bengal has created certain common characteristics among its inhabitants quite distinct from those of the other provinces of India. These common characteristics have cut across the communal angularities of the Hindus and Muslims to a very great extent and the Hindu community is not likely to prove an irreconcilable minority in the state of Greater Bengal.

The economic interests of Greater Bengal are different in many vital respects from those of the rest of India. This area has a virtual monopoly of jute and tea production which it exports to foreign countries while it imports cheap manufacturing products. Heavy duties on cotton piece goods have been causing, from the very begin-

ning, heavy losses to the Bengal peasants. Similar will be the effects of sugar duties. Interests of Bombay and Calcutta are not complimentary but contradictory. Secession of Greater Bengal from the Indian economic unit will be advantageous to Bengal.

Bombay and Calcutta are the two greatest cities of India which epitomise the bulk of India's commercial and industrial enterprise. Bombay is primarily a city of the Indians, the residents of Bombay and the adjoining provinces. But Calcutta is a city of non-Bengalees, all its industries and trade are in the hands of the Europeans or immigrants from the far off provinces. The vast armies of industrial labour also are non-Bengalees. The Bengalees have begun to realize that without secession from India they cannot Bengalise their Metropolis nor will they be able to break the industrial and trade monopolies of non-Bengalees and free themselves from this economic stranglehold. This identity of interests is levelling down the communal differences between the Hindus and Muslims in Bengal.

Military control of Greater Bengal is being maintained by mercenary non-Bengali soldiers from immemorial times to this day. Greater Bengal is smarting under this insult to the youths of Bengal. Provincial autonomy has done nothing in removing this shackle of inferiority. Even this terrible European war has not as yet given Bengal the right of self-protection. It has been sufficiently clear that without segregation, the Bengalees are not likely to acquire this right of self-defence.

The democratic Islamic religion of the majority of the population, the identity of cultural and intellectual interests of the Bengalees, as opposed to the rest of Indians, created by the Bengali language and literature, identity of race and origin, identity of economic interests and specially the predominance of the non-Bengalees in the industry and trade of Bengal, identity of military interests of the Bengalees as opposed to the rest of the Indians have all combined together to blend the Hindus and Muslims of Greater Bengal into one nationality. It may, however, be argued that the above-mentioned identities, though greatly help the blending of divergent peoples into one nationality, may not necessarily do so under all circumstances. The two radically different religions of Bengal, it is maintained, are keeping the Hindus and Muslims apart. Whether the Hindus and Muslims of Bengal have, by now succeeded to form one nationality, can be proved only by their actual behaviour in the political activities of the country. Did they behave in the past and are they behaving at present in a manner compatible with the behaviour of one nationality or plurality of nationalities?

Bengal has always been a political entity in the past. On occasions, the Emperors of Delhi annexed Bengal to their dominions but subjugation of Bengal has always been a temporary phenomenon. By the opposition of Bengal, Delhi Empires broke down in these marshy lands on many occasions. It is here that Humayun's Empire crumbled down by the onslaughts of Sher Shah. All the rebellious adventurers had

to take their shelter in Bengal. The distinct nationality of the Bengalees and their traditional hostility to the North Indian hordes always supplied the materials of these oppositions. In spite of their religious unity, the major part in these activities was taken by the Muslims. After a generation or two even the Muslims, who had come from outside, used to be Bengalised and to fight enthusiastically against the Muslim Emperors of Delhi. The Muslim military class of those days fought against Delhi Emperors not always for the Muslim rulers of Bengal but also, on occasions, for the Hindu rulers. The insurrection of King Ganesh is a case in point. Even in this twentieth century, oppositions against the Central Governmental rule cropped up in Bengal in the form of Swadeshi Movement. Non-Co-operation Movement also was most virulent in Bengal. At the beginning, oppositions were aimed against the British but when, from the time of the inauguration of Provincial autonomy, the All-India Congress began to share the governmental authorities with the British, Bengal started its opposition to the Congress as well. The Bengal Congress has now dissociated from the All-India Congress and is now equally Anti-British and Anti-All-India Congress.

All these activities not only prove that there exists a strong sentiment of nationality in Bengal as opposed to the rest of India but also something more. The Hindu minority of Bengal worked side by side with the Muslims in all these national activities. As the Muslims of Bengal did not hesitate to fight their co-religionists from outside, so the Hindus of Bengal also had always forsaken the non-Bengali Hindus in favour of the Muslims when it was a question of choice between the two. A recent incident will prove the proposition quite convincingly. Lord Curzon divided Bengal into two parts and joined up the Hindu majority area of the West Bengal with Bihar and Orissa. The Hindus of Bengal, however, were not at all impressed by the Hindu supremacy in this newly formed province, but jumped headlong into an Anti-British agitation under the caption of Swadeshi Movement and got a rectification of the partition. They were extremely overjoyed to resume their position in the reconstructed province where they were in a decided minority. Hence to the Bengali Hindus, the Muslims of Bengal are definitely preferable to the non-Bengali Hindus. This inference may not be pleasing to hear to many orthodox Hindus but it is a cold fact. The Bengali Hindus were working side by side with the non-Bengali Hindus in the Congress Movement for freedom as long as it was a problem with the British Government but when the aims of the movement were partly attained and the organization of the Indian state became a live and practical issue, the Bengal Congress fell out with the Indian Congress. It may, however, be mentioned that the quarrel between the Bengal and All India Congress is not on the issue of state re-organization but simply personal feuds. But the Bengal Congress must have realized the inevitable consequence of this quarrel which will compel them to come to terms with the Bengali Muslims at their own terms. Even that did not

GREATER BENGAL

dissuade them from quarrelling with the Congress High Command. The starting cause of a quarrel is not generally of any serious import but the quarrel itself and its consequences are the real points at issue. The very fact that the Bengali Hindus have quarrelled with the Congress High Command in spite of the known inevitable consequences, is a positive proof that the Bengali Hindus have a fundamental affinity with the Bengali Muslims and this affinity is much stronger than that they bear towards the non-Bengali Hindus. To be accurate, the Bengali Hindus are rather apathetic towards the non-Bengali Hindus and this apathy has been embittered into an antipathy due to the oppression on the domiciled Bengalees by the Congress Governments of Bihar, U. P. and C. P. and the humiliation and expulsion of Subhas Bose by the Congress High Command. All these lead to the inevitable conclusion that the Bengali Hindus and Muslims constitute one nationality which has been maintaining its traditional antipathy towards the Northern Indians who are maintaining a hostile attitude towards Bengalees equally enthusiastically.

If the Hindus and Muslims of Bengal do really constitute one nationality, how can it be harmonised with the communal bickerings and feuds that have got such a wide publicity? Many well meaning people sincerely maintain that communalism was non-existent in Bengal in the past but it has been fanned by the British Imperialism in pursuance of their celebrated 'Divide and rule' policy. But this is not really the case. About one thousand years ago, when the major part of the residents of Greater Bengal accepted Islam en-masse, it was as a reaction against the caste domination of the Aryan cross-breeds over the general masses of the people. This mass conversion and the democratic principles of Islam generally upheld by the Muslim rulers, suppressed this caste domination till the breakdown of the Muslim Empire and the advent of the English. The introduction of English as the official language which the caste Hindus accepted and learnt as a class in right earnest and the enactment of the permanent settlement and sunset laws, helped them to capture the Governmental machinery on the one hand and to control its land-supply, the only source of wealth production in Bengal, on the other. Once they were in control of the political and economic forces of the country, they established themselves as the real masters of the vast masses of Greater Bengal, and reduced not only the depressed classes to the position of semi-serfs but also the Muslims who virtually became one of the many depressed classes in the social order of the country. But when the Muslims and depressed classes took to education, they became conscious of their position and the traditional movement of reaction cropped up again. The present quarrel of the Muslims against the caste Hindus is nothing but the same reaction that led them to accept Islam one thousand years ago to break the caste shackles of the Bengal's social order. It is a quarrel of antiquity and certainly not new. Education has lately spread very fast among the Muslims and

depressed classes and the Governmental machinery is rapidly ceasing to be a close preserve of the caste Hindus. After the introduction of political reforms, the general masses of the people have been enfranchised and the political power has definitely shifted in favour of the oppressed classes. Recent economic legislations like Bengal Tenancy Act, Agriculturists' Debtors' Act, and the proposed abolition of the Permanent settlement, are also turning the economic forces in favour of them. Once this process of transfer is complete, domination of the caste Hindus will completely disappear and the cause of the Hindu-Muslim quarrel will evaporate away. The Hindu-Muslim quarrel is, therefore, an internal problem of Bengal, a problem of social re-adjustment, having nothing to do with the Bengali nationality. Moreover, in the near future, the Hindu-Muslim trouble in Bengal will be a thing of the past because the bones of contention are fast disappearing.

The Hindus of Greater Bengal, therefore, constitute one and the same Bengali nationality with the Muslims of Bengal. They do not and will not form a recalcitrant minority nationality in the state of Greater Bengal rather the most enthusiastic up-holder of that state. The Bengal Congress has already entered into an understanding with the Muslims in the affairs of Calcutta Corporation and the understanding is going to cover soon the affairs of Provincial politics as well. The province of Assam also will follow suit. Thus the state of Greater Bengal will have a very secure basis of nationality to stand upon. This concept of Bengali nationality will be contradictory to the principle of exchange of Bengali Hindus with the non-Bengali Muslims we have enunciated before. The policy of population exchange has, therefore, got to be modified in the case of Bengal to some extent. The non-Bengali Muslims should be exchanged with the non-Bengali Hindus residing in Greater Bengal. The non-Bengali Muslims will be treated as aliens till they have been Bengalised fully with Bengali as their mother-tongue. The maximum number of exchanged population should be limited to the number of non-Bengali Hindus residing in Bengal.

"Blood is thicker than water"

CHAPTER XI

Who will re-organise the Indian Governments ?

The aim of the British Government is to grant Dominion Status to India as envisaged in the celebrated statute of Westminster. The Dominion Status means fullest freedom subject to the recognition of the titular sovereignty of the British King. Though this is the aim, India is still far from its goal. India has now to recognise not only the titular sovereignty of the British Crown, it is also subject to the actual sovereignty of the British Parliament. The grant of responsibility and the re-organization of the proposed Indian Governments on scientific lines can legally and actually be undertaken only by the British Parliament by transferring its sovereign powers to the peoples of India. But as the transfer of these powers and the re-organization of the states are intended to be in the interest of the Indians themselves, British Government has quite correctly stipulated to introduce any form of constitution agreed upon by the Hindus and Muslims.

The agreement between the Hindus and Muslims would be forthcoming only if they have constituted one great Indian nationality all over India. We have seen by now that with the solitary exception of Greater Bengal, the Hindus and Muslims of India do constitute two nationalities. Though the Hindus and Muslims of Bengal do constitute one nationality still it is a nationality of their own and is antagonistic to that of the rest of the Indians. Moreover, the Hindus are not in majority over all the areas in the rest of India. In Pakistan, which is big enough to maintain a separate state of its own, the Muslims are in a definite majority. Hence, in place of one nationality, the pre-requisite for an agreed constitution for the whole of India, there are three nationalities: the Hindu, Muslim and Bengali, with their well-defined geographical boundaries. In consequence of these, a constitution agreed upon by the different sections of the Indians themselves, is not forthcoming and cannot be expected to forthcome. The semblance of unity for the whole of India lies only in the British rule and it has not struck its roots below the surface.

The required Hindu Muslim unity is not forthcoming and is not expected to forthcome. The two communities have virtually agreed to disagree on every important point of constitutional re-organization. What does Britain, the sovereign power of India, propose to do under the circumstances? Britain's persistence for unity amongst the Indians will amount to asking for the moon and will mean postponement of the introduction of responsibility in India *sine die*. Persistence for this unfulfillable condition is liable to misinterpretation by mischievous persons. Moreover, unity amongst the Indians is necessary if only one democratic government is

THE INDIAN CONSTITUTIONAL TANGLE

to be organised for the whole of India. Because Britain conquered a certain part of the globe and has been ruling it since then, does not prove that the residents of that area necessarily form one nationality. It is bad logic to think it to be so. Assuming sincerity of Britain's assertions, and there should be no room for doubt in that, to introduce fullest responsibility in India, Britain has got to take the non-agreement between the Hindus and Muslims as a final fact and to introduce democratic constitutions of the forms compatible with this difference. Our discussions in the foregoing pages have convincingly shown that by a tripartite division only, can democratic constitutions in India be securely based. The first step to be taken by Britain to introduce responsibility, therefore, is to trisect India without any further reference to Indian leaders who have already recorded their opinions, times without number, in the form of disagreement. So far as the division is concerned the parties will no more have any say at all and Britain should let her final decision on the point be known at once. As regards the actual fixation of the boundary lines between the states, Britain will give her awards as a judicial arbitrator after hearing the cases of the parties concerned. Britain should at once appoint a special envoy, a commissioner of His Majesty, with plenipotentiary powers delegated by the Parliament, to effect this division. He should preferably be an academic politician, a non-parliamentary man and he may be accompanied by a judge of the Privy Council, as his legal adviser.

There cannot possibly be any unfavourable reaction of the Indians against Britain owing to this policy of trisecting India. The Congress will, probably, protest against the ceding of Bengal and Pakistan from India but this protest will be formal rather than real and sincere. When Burma was separated from India, the Congress vehemently opposed it. Burma even, did not definitely say yes or no. But everybody felt that Burma was not India and Britain, on her own responsibility, carried out this division. The Congress opposition has, by now, died a natural death and Burma has settled down contentedly in her new separate role. In case of secession of Pakistan and Bengal also, Congress protest will meet with the same fate. The control of the Congress, on Pakistan and Bengal is nil and moreover these areas are the real obstacles to the introduction of responsibility in the central spheres of the India Government. The segregation of these areas, will have the authorities of the Congress fully established on the rest of India. The Congress should feel happy and it will be happy by the amputation of these incurable limbs. Britain will, in the long run, earn the gratitude of the Indians, including the Congressmen, for effecting this division.

"Let justice reign, even though heavens fall."

CHAPTER XII

The Present European War and the Indian Constitutional Tangle.

In Europe, the deadliest war the world has ever seen, is now being waged. The speed of the war is very much greater than that of any fought before and for this reason it is styled by the Germans blitzkrieg or lightning war. The armaments of war also, are more numerous and varied. All the available means which human ingenuity can devise for a man to hackle others, are used as the armaments of this war and for this reason it is also called total war. Germany had been preparing for this total war or blitzkrieg for the last seven years without any thought of cost and sacrifices involved in the process. In comparison, England practically made no military preparation worth the name before the actual outbreak of the war. England and her Allies have paid very heavy penalties for this unpreparedness. Austria, Czechoslovakia and Denmark were annexed by merely hoodwinking them and their Allies. Poland was annexed by a blitzkrieg of eighteen days. Norway, Holland and Belgium were reduced by a total war of less than a fortnight. France has been brought down to her knees by the war of about a month only. England and the Empire have remained to be the only members of the Allies fighting against the Axis powers. The British Empire, has become vulnerable to attack at almost every point by Italy's participation in the war on the side of Germany and the capitulation of France. If Germany wins, democratic form of government will be suppressed all throughout Europe. Being faced with such a terrible danger, England has given up all party squabbles, a familiar feature in democratic governments, and has formed an all parties' government and mobilised all the national energies and resources for the attainment of the single aim, the winning of the war. It is being repeatedly suggested by some that India should follow the example of Britain and postpone her Hindu-Muslim controversy for the time being and concentrate her attention in the prosecution of the war because if Germany wins, the democratic aspirations of India will be nipped in the bud. With this end in view attempts are being made to organize a fully responsible coalition cabinet including, among with others, the representatives of the Congress and the League in the Central Government of India. The new Government of India Act hurried through the Parliament, has conferred on the Governor General all authorities exercised since then by the British Parliament, to bring about any constitutional change, including the formation of a Central coalition cabinet, in India.

The Viceroy has been conducting negotiations with Messrs Gandhi and Jinnah to bring about this happy consummation. The Congress and the Muslim League have both arrived at the definite opinion that so far as the present European war is concerned

THE INDIAN CONSTITUTIONAL TANGLE

their interests are identical with those of Great Britain. A German victory will not only be a disaster to Britain but also a disaster, in the opinion of the League and Congress, to the Indians' aspirations for a free national existence. This identity of interests have made them extremely willing to co-operate with Great Britain in the prosecution of the war, to postpone their quarrels for the time being and to co-ordinate and concentrate their resources for the winning of the war. This has made the formation of a coalition cabinet consisting of the representatives of the Congress and the League at the Centre not an impractical proposition and nobody will be surprised to find such a consummation at this juncture. The contemplated coalition cabinet will be responsible to the Central Legislature and this will mean the granting of the substance of freedom to India. This popular Government at the Centre, commanding the allegiance of the general masses of the Hindus and Muslims of India, will be in a position to commandeer the entire manpower and the material resources of India for the prosecution of the war. It is, therefore, eminently desirable, according to this view, that the Hindu-Muslim question of India should be shelved and an All India Central Government, with the fullest responsibility be organised at once and be made to function at least for the duration of the present war. If a tripartite division of India is now effected, the succession states will weaken considerably both economically and politically and the economic and political strength of these three taken together, will be much smaller than that of one All-India state. The war potentialities of India will thus deteriorate and at this critical stage such a suicidal step should not even be contemplated.

There is no denying of the fact that when a big state is split up into smaller states, the sum total of war potentialities of the succession states diminishes because they become economically weaker. But in actual warfares, war effectives are the only ones that count and not the potentialities. In no countries of the world and not probably even in Germany and Italy, have war potentialities been ever tapped to the fullest extent into war effectives. There have always remained in every country an amount of unworked up war potentialities which could be harnessed and put into service under more favourable circumstances. A country is more or less armed in strict proportion to its less or more untapped war resources respectively. The percentage of the untapped war potentialities of the total national resources of Turkey is much lower than that of the untapped war potentialities of Great Britain and this is why we say that Turkey is more intensely armed than Britain. When the percentage of unarmed potentialities falls below a certain low figure in any country, we say that the said country is prepared for a total war as is the case with Germany and Italy. For intense arming and specially for a total war, in addition to manpower and economic resources, a psychological factor also becomes essential; the citizens of the country concerned must feel an intense sentiment of nationality, must think alike, feel alike and must be prepared to work as one man. Without this unity of mind of the country, intensive arming becomes a dangerous self-

THE PRESENT EUROPEAN WAR

explosive and in any national crisis its military organization tumbles down more quickly than that of a comparatively less armed nation. For this reason, when the citizens of a country do not feel a strong sentiment one nationality or, which is the same thing, when the people consist of several nationalities, the psychological factor for arming is wanting and arming to any sufficient scale is not at all practicable or free from danger.

If the contemplated All-India Government of responsible type materialises and if it undertakes a scheme of intensive arming, India will be converted into a dangerous military camp divided against itself. The Hindus and Muslims, being quite in the dark about their political future, will eye with suspicion the armed men of the other community and the slightest disputes may lead to armed clashes. Civil wars will then replace the communal riots of the modern days. The vast armies of India will then have no military value in relation to foreign enemies. Even for the exclusive purpose of raising an effective army of sufficient military strength, it is therefore essentially necessary to liquidate the constitutional problem at once. Before disposing of this problem, if militarisation is begun, the mutual suspicion of the different parties will make them extremely liable to subversive propaganda, and in times of crises, sections amongst them may take to activities that are attributed to the notorious fifth columnists by the British statesman or attributed by Hitler simply to dissatisfied minorities. Hence for the effective prosecution of the present war as well, the political problem of India must be solved at once. The trisection of India need not be effected at once but this ultimate goal of the constitutional evolution of India should at once be declared by the British Government in unequivocal terms. In that case, the different parties, feeling sure of their future position, will not be affected by subversive propaganda and the military potentialities of India can be tapped to the fullest extent. The declaration of this policy of trisecting India should not, therefore, be delayed for a moment.

The truth of this contention will be further corroborated if we look at the war effectiveness of the different units of the British Empire in the present war. The various Dominions of the Empire are, to all intents and purposes, sovereign states bound together by the personal union of the British King. As sovereign states, the Dominions were quite free not to join this war on the side of Britain but with the exception of Ireland, all the Dominions have joined the war and commandeered all their resources for the purposes of this war and are determined to continue the war to its bitter end in the face of the collapse of the first class military powers like France. If the Dominions were not granted their separate and independent existence, their military value on the side of Britain today would have been either nil or negative. To attempt to keep the thirteen American colonies under subjection led to the complete separation of the United States of America. Wiser of this experience, Britain liberated all the other Dominions and now in this greatest crisis of the Empire for all times, Britain is getting incalculable help from them. It may be argued that Ireland has falsified these expectations by following a policy of neutrality. Egypt also has remained neutral. Their neutrality

THE INDIAN CONSTITUTIONAL TANGLE

should not lead one to suppose that their continued subjection would have been of greater military value to Britain, because in that case the nationalist elements of these two countries would have freely conspired with the enemies of Britain to whom these countries would have been a drag on their military activities against Germany. Even with their neutrality, the liberation of these countries has been of considerable military value to Britain in the sense that they have not been a source of drain to her resources. Britain should be wiser of these experiments and divide India on nationalistic lines at once. Military considerations, in place of standing on the way of dividing India on nationalistic lines, demand such a division very urgently.



"A little leak will sink a great ship."

CHAPTER XIII

A Co-operative world state : the millenium for Humanity.

Freedom has its own price. As long as a country constitutes a part of a vast empire, the responsibility of her defence is not hers but of the whole empire. When the said country starts a separate independent existence, it has got to shoulder the entire burden of her defence by herself, against the whole world. If the country concerned be very small, its existence depends on the tolerance and mercy of her bigger neighbours. In the opinion of Herr Hitler, the days of smaller states are gone by for good and the easy manners by which the smaller states like Denmark, Norway, Holland, Belgium, Czecho-slovakia, Austria and Poland have been subjugated by Germany, proves conclusively the military indefensibility of the smaller states. The tendency of the modern political evolution should, therefore, be towards integration and not division. The proposal for division of India, therefore, appears to be a retrograde step.

Subscribing fully to the truth of this line of argument, it may be pointed out that none of the states of India will be as small as any of the small European states mentioned above. The smallest of the Indian states, Pakistan, with its population of over four crores, will be of the rank of the first class military powers like England, France and Italy. The second Indian state, Greater Bengal with its population of 60 millions, will be nearly of the rank of Japan. The biggest Indian state-Hindustan, with its 250 millions of souls, will be a much bigger state than the three biggest powers of the world, Germany, U. S. A. and Soviet Russia. The three states of India will, therefore, be all first class military powers of the world and consequently objection against having indefensibly small states does not hold good in our case.

But the old conception that a first class power is militarily impregnable has been proved to be a colossal untruth. A first class military power like France was blown away the other day in a few days' fighting. To have a completely defensive safety, a state has to keep itself stronger than its potential opponent or a probable combination of opponents. According to this standard of safety there is obviously no limit to the size of a state that will make it absolutely impregnable. Put to the logical end, there can be only one biggest state in the world that can feel itself absolutely secure and all other states shall have to be necessarily in a state of insecurity. Hence the smaller states should allow themselves to be combined with their bigger neighbours and form themselves into mighty and unchallengeable federations or confederations. Whichever states will win the race of forming themselves into the mightiest combination, will ultimately control the rest of the world. Every state should, therefore, try its level best to confederate themselves with other countries and preferably to be in the biggest combination.

THE INDIAN CONSTITUTIONAL TANGLE

This concept of a world confederation is not incompatible with the independent existence of the separate national units. British Empire is a standing evidence of an inseparable union of the sovereign states, the nucleus of a world co-operative state. We have already pointed out that the recognition of the sovereignty of the Dominions, has added to the strength of the British Empire rather than weakened it. In independence and co-operation then lies the solution of the defence puzzle. The three sovereign states of India may form themselves into a co-operative confederation and the common British King may serve them as a symbol of their unity. Nepal Burma and Ceylon may also be easily persuaded to join this co-operative confederation. With slight tact, the relations with the Dominions of the British Empire may be so adjusted as to make them ordinary members of this co-operative state. The wings of this co-operative state need not be restricted to the British Empire states only. Just before the collapse of France, a proposal for a permanent confederation between Britain and France was made by Britain to the French Government in right earnest but it could not be considered because it was too late. Invitation to join the Indian confederation may be extended to Siam, Afghanistan and other contiguous states whose major interests are identical with those of India. By persistent attempts more and more members may be enrolled and ere long a major part of the world will come under its jurisdiction. The rest of the world, then, shall have to fall in line

The concept of a world co-operative state is not fundamentally different from that of the League of Nations. The League has miserably failed because it was superimposed on the sovereign states from above. The concept of the co-operative state differs from that of the League in this respect that it is a voluntary joint attempt of the beneficiaries themselves for their self preservation. Such an attempt cannot but succeed.

"Man is a gregarious animal."

THE END.

BY THE SAME AUTHOR.

The Problem of the Standard of Indian Currency.

PRICE NINE SHILLINGS NETT

This work is the most authenticated and illuminating study of the Indian Currency standard ever published. The theoretical part of the book contains many original ideas which have been recognised by all commentators to be definite contributions to the Monetary Science. The work represents a remarkable achievement for an Indian scholar. The following comments will speak for themselves :—

The Amrita Bazar Patrika of Calcutta, February 5, 1939 writes :—

This book is an excellent study of Indian monetary standards from Akbar's time right up to the present. But the real contribution of the author, so far as the historical part of it is concerned, lies not simply in a faithful recording of facts only but in his demonstration in an admirably accurate and scientific manner the application of modern theories pervading through all the perplexing and apparently contradictory monetary experiences of our recent and distant past. This acid test of facts has also helped him to dispose of rather easily some of the time-honoured and hallowed conceptions and theories. His solution of the standard is to keep the value of the rupee absolutely fixed. Though this is a celebrated classical dogma of antiquity still the originality of the author lies in the rehabilitation of this disreputed doctrine by removing the confusion brought by Mr. Keynes and his followers. Mr. Keynes, as is well-known, is an inflationist though he realizes fully the disadvantages of inflation. More money, he thinks, will lower interest, increase investment and mitigate unemployment and will more than offset the disadvantages of a falling value of money. He is very much worried to think that after a certain extent of inflation interest refuses to fall further due to an irreducible level of liquidity preference and is inclined to support Gessel's policy of stamped money in order to make liquidity preference more or less ineffective. Modern economists have been completely bewildered by the strength of Mr. Keynes's arguments and have become hopelessly undecided on classical *cum* this neo-classical view-points. It is extremely gratifying to find that an Indian student has, so successfully and in a manner intelligible to ordinary men and expert economists, at last settled this confusion and rested the vexed controversy. Mr. Sadeque repeats simply that money is money because it can purchase anything at any moment *i. e.*, because it has liquidity and if money is to be stamped, it will lose its liquidity. Money, deprived of liquidity, cannot facilitate exchange, and therefore division of labour and the very purpose, for which money was devised is frustrated. He suggests, therefore, to suppress interest which robs money of exchange-facilitating power. In this connection he makes his revolutionary statement that money is not money as long as there is any interest on money. To make money real money, interest on money must be suppressed. He gives a very practicable scheme to suppress interest and at the same time to have a colossal flow of investments. The climax of his analysis is attained when he shows that this policy of unlimited investment is not incompatible with a fixed value of money, specially in the case of India where exists a huge volume of unemployment and under-employment. His simple manner of analysis hides very effectively the revolutionary nature of his theory and suggestions and he convinces friends and foes alike about the validity of his theory. We agree with the author that his theory should be given a fair trial though "it is new and untried. If India could lead the world in many matters in the past there is no reason why she should not be able to lead it in the currency matters in future."

THE INDIAN CONSTITUTIONAL TANGLE

The Statesman, Calcutta and Delhi, July 31, 1939 writes :—

The student of Indian Economics has ever before him the task of correlating his own theorising and inferences from facts with the general theory of Economics which is always dynamic and progressive. That task has been growing more urgent and difficult then ever during the post-war period in which the tempo of the progress of general economic theory has grown more then ever rapid—some would even say headlong. In particular, monetary theory and practice have undergone a complete revolution under the influence of Mr. Keynes and his school. At the same time the theory of international trade too has been advancing rapidly largely on account of the work of Professor Taussig and his pupils. The work of the Taussig school has profoundly influenced writings on the monetary problems of India. An earlier generation of Indian economists was so obsessed with the supposed imperfections of the Gold Exchange Standard that it attributed the rise of prices in India in the first decade of this century entirely to these imperfections and drawbacks. We have now learned from the Taussig school the true relations between the position of a country in international trade and the price-level prevailing in it. As a result we have become much less critical in the matter of the Gold Exchange Standard. Similarly other lines of advance in the matter of monetary theory will give us a better perspective as regards other points in the monetary policy of India. This explains Prof. Sadeque's statement that "almost all my inferences have been diametrically opposite to those of Ambedkar and other members of the Bombay School of Economics and their earlier generations of Indian economists." It is also the general progress of monetary theory and policy that enables the author to say that "strictures of Indian economists on the so-called lack of vision of the Government should rather be deflected to them for their defective analysis of the situation."

It is to the credit of the author of the present work that he has tried to "synthesize in a co-ordinated and harmonious whole" the classical and the new-mercantilist theories of money and to envisage in the light of such synthesis the past history as well as the future of Indian currency.

The Hindustan Standard, Calcutta, Febr. 4, 1939 writes :—

The book under review is a study of the history of Indian currency from the time of Todar Mall, the Finance Minister of Akbar the great, to 1937. The historical part is not a mere chronicle of dry facts but a critical and analytical study as well of the different standards of currency that existed during the different periods of Indian history. The author summarises in an admirable manner the experiences of the different standards and relates them with the modern monetary theories in support of the accuracy of the findings of his historical study and as the acid test for the modern theories. This double-edged test of both facts and theories has enabled the author to dispose of in a convincing manner some of the time-honoured conceptions and theories. But the analysis of the author leads him to agree with the classical economists that the fixity of value of money in terms of commodities representative of consumption is the ideal solution of the problem of the standard of currency. But the value of the author's contribution to the study of the problem lies in harmonising this view with the new-classical idea of unlimited supply of paper money at zero rate of interest. He thinks it possible to remedy unemployment and create investments with paper money without having inflation. This the author claims as an improvement on Keynes' theory of money contained in his latest publication : The General Theory of Employment, Interest and Money. The contributions of the Indian Economists to the pure theory of Economics is not considerable, and it is really very gratifying to find an Indian student taking up the study of what is rightly regarded as the most difficult part of economic theory. The value of the effort must be recognised though one may not agree with all his conclusions.

The author seems to claim finality for some of his conclusions but without conceding so far we are inclined to maintain that some of his views are likely to provoke considerable discussion among economic

THE INDIAN CONSTITUTIONAL TANGLE

circles. As an instance, we may refer to his view that modern money is not money but simply a halfway arrangement between barter and money. We need hardly add that we find in the book the beginning of a new line of thinking and it contains nascent theories which, when fully developed, may throw light on many of the obscure corners of the Science of Economics.

The Advance, Calcutta. June 25, 1939 writes :—

This interesting book is a well-authenticated history of Indian Currency Standards from Akbar's time right upto the present day and a critical study of all the probable standards that have been suggested for India from time to time. From a careful examination of the possible standards the author brings out in a lifelike manner that the fixity of rupee value in terms of commodities representative of consumption or production is the solution of the standard problem of India. To this extent the book is in line with the classical works. But the greatest contribution of this work lies in the harmonising of this classical idea with the new-classical idea of Keynes and his followers to create a huge volume of paper money to facilitate investment and remove unemployment. This inflationist idea of Keynes and his incontrovertible argument running diametrically opposite to the axiomatic doctrine of the classical school for a fixed value of money bewildered the most astute economists, not to speak of ordinary men all over the world. This successful attempt of an Indian Economist in removing the confusion and harmonising the contradictory views in a manner and language intelligible to experts and laymen is bound to command admiration and gratification of the people of this land. The author proves satisfactorily and lucidly that increase of money will not lead to inflation as long as there are unemployed labour and other resources in India. In this connection is made that revolutionary statement which has made this book a startling work in the modern economic literature ; that money is not money as long as there is any interest, positive or negative, on money and the present day money of the world is simply a midway arrangement between barter and real money. In a sense it is reverting to a thesis which is as old as Aristotle while at the same time it is a work of originality and path-breaking nature. The author has recommended his scheme to the Reserve Bank of India which is looking for a permanent standard for Indian currency. He pleads that the scheme should be given a fair trial though it is new and untried. But we like to point out both to the author and the Reserve Bank that the scheme has already been tried and applied in modern Germany and the marvellous results attained by the Third Reich both in removing unemployment and keeping a nearly stable price-level should encourage our authorities to adopt it boldly and as early as possible. We welcome the author for his marvellous intellectual achievement.

Economic Journal, Vol. X : VIII. No. 190. June 1938 writes :—

This book, by Professor at Islamia College, Calcutta, is a study of Indian currency standards from the time of Akbar to the present. The main emphasis is on the periods since the War, though there is a full discussion of the reasons for the greater fluctuations of rupee than of gold prices before the War. In his discussion of post-War and of future policy he is brought to consider the alternative end of monetary control and criticises Mr. Keynes for desiring to increase the "carrying cost" of money.

The Journal of Political Economy, Vol. XL VI, No. 5, October. 1938. U. S. A. writes :—

* One discovers (in this book) some remarkably good currency history and monetary theory from the 994 coins which the East India Company found to the paper notes and the token coins of the present and from Jevons to Keynes. Professor Sadeque must be an excellent teacher, for he misses very few points and argues both sides with equal enthusiasm until the very end of the book. Particularly good are his defense of the pre-war gold exchange standard and his description of the wartime inflation in England and India. He is, however, a little inclined to make his history back up theory and to use foreign trade as the measure of prosperity. His solution of the standard is an index-number standard either to keep prices constant

THE INDIAN CONSTITUTIONAL TANGLE

or to keep the cost of labor constant. He does not work out the proposal in detail but considers more important the creation of credit to end crises. Government is to lend to selected entrepreneurs for investment—not speculation—without interest. This will not cause inflation so long as unemployment is serious. The businesses so started are to be chosen by a national investment board representing agriculture, industry, commerce, banking, government and economists.

Charles D. Thompson.

World Affairs Interpreter Los Angeles University of International relations. University of South California. U. S. A. Summer 1938, writes :—

* * Both his criticism of past monetary policy and his proposed program of change are very unique. The imperfections of this study are probably a consequence of the very novelty of the suggestions tendered. Originality has a way of being both misunderstood and disregarded. Mr. Sadeque, he is Professor of Economics at Islamia College, Calcutta, has ideas about money that merit consideration.

Mr. J. M. Keynes, the world famous Economist wrote on January 22, 1938.

I have to thank you for sending me a copy of your book on the Standard of Indian Currency. With reference to what you say about my identifying full employment and optimum level of wealth, we have to distinguish between what people in fact want, and what they ought to want. Full employment corresponds to the desired level of economic activity given the existing distribution of wealth.

Dr. P. J. Thomas Head of the Economics Department, Madras University and the President of the Indian Economic Association wrote on February 27, 1938.

I have gone through your interesting book. It is a bold piece of work and contains much original matters and startling suggestions. Your historical survey is searching but your interpretation of events may evoke keen controversy.

* * * *

Dr. H. L. Dey, D. Sc. London, Head of the Economics Department, Dacca University wrote on March 29, 1938.

"I must say at once that I have read your book with great pleasure and desire to congratulate you on your valuable work on 'The Problem of the Standard of Indian Currency' which gives a lucid, accurate and critical study of the development of the Indian Currency system. I think you have achieved a considerable measure of success in your attempt at re-interpreting the evolution of Indian Currency in the light of modern theory. I may also say that I agree with some of your criticisms of the Currency policy of India. The last four chapters where you have attempted to give an exposition of the modern theory of Currency are also interesting.

* * * The book gives ample evidence of your ability to grasp the elements of complicated currency problems and of independence of thought * * *"

The author concludes the book with the following sentences. "Mr. Lindsay drew up the scheme of Gold Exchange Standard and declared that the Government must adopt his scheme in spite of themselves. Today I declare with the same conviction of Mr. Lindsay that India, nay the whole world, has no other alternative but to adopt this scheme of Ideal Money. In his introduction the author recommends his scheme to the authorities of the Reserve Bank of India in the following words. "The Governor and Directors of our Reserve Bank have probably already begun to pay their attention to the Standard question of the Indian Currency. It may be that in this scheme of "the Ideal Money" they might find their much sought for El-dorado. I do not think that they need hesitate to recommend such a scheme because it is new and untried. If India could lead the world in many matters in the past there is no reason why she should not be able to lead it in the currency matters in future."

Every serious student of Economics should read this book once.

Available at Thacker Spink & Co, Bengal Co-operative Alliance and all other respectable book stalls of Calcutta.

